

Lincoln College
Harassment & Bullying Policy

Introduction

1. This policy applies to all members of the College, including all employees, staff, students, fellows and all contractors and visitors to the college. The policy covers harassment, bullying and victimisation.
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. The College does not tolerate any form of harassment, bullying or victimisation.
3. The College expects all members of the College community, its visitors, and contractors to treat each other with courtesy and consideration.
4. 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, bullying and victimisation are unacceptable, recognising that those behaviours may cause harm, physically or emotionally, and that all members of the College have an active role to play in creating an environment free from harassment, bullying or victimisation;
    c. provide a framework of support for staff and students who feel they have been subject to harassment, bullying or victimisation, and
    d. provide a mechanism by which complaints can wherever possible be addressed appropriately and in a timely way.
5. Those in positions of authority, such as Officers of the College, managers, and members of the Governing Body, have formal responsibilities under this Policy and are expected to familiarise themselves with the Policy on appointment. All managers have a duty to implement this Policy and to take reasonable steps to ensure that harassment, bullying and victimisation do not occur in the areas of work for which they are responsible; and that if they do occur, any concerns are taken seriously and dealt with appropriately under this Policy and the relevant Procedures.

Definitions

6. **Harassment** is defined as unwanted conduct meeting one or more of the following criteria:
    a. a **course of conduct** on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each; in this context, harassment includes causing a person alarm or distress where this is not a reasonable course of conduct in the particular circumstances.[1]

[1] Summarised from Protection from Harassment Act 1997 section 8(1), (3) & (4).

b. unwanted conduct of a **sexual nature** that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment,[2] or;

c. unwanted conduct of a **sexual nature** or related to **gender reassignment** or **sex** that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment and because of the alleged victim's **rejection of or submission** to the conduct the alleged perpetrator **treats the alleged victim less favourably** than they would have done had the alleged victim not have rejected or submitted to the conduct[3];

d. unwanted conduct relating to a **protected characteristic** (age; disability; gender reassignment; marriage or civil partnership; pregnancy; maternity; race; religion or belief; sex; or sexual orientation), that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment;[4]

7. **Bullying** may be characterised as unwanted behaviour that is either: offensive, intimidating, malicious or insulting, or an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

8. When deciding whether harassment or bullying has occurred the intentions of the alleged perpetrator and the perception of the alleged victim, including the extent to which that perception is in all the circumstances reasonable, will be taken into account.

9. **Harassment** and **bullying** can be either face to face or through other forms of communication, including but not limited to written communications and communications via any form of digital media. It can be verbal and/or physical. It can be direct to the person concerned or to a third party.

10. Being under the influence of alcohol or drugs, or otherwise intoxicated, does not excuse harassing or bullying behaviour.

11. **Victimisation** in a College context means subjecting someone to detrimental treatment because they have done, or you believe that they have done or may do, one of the following:

a. made an allegation of harassment, bullying or discrimination;

b. indicated an intention to make such an allegation;

c. assisted or supported another person in bringing forward such an allegation;

d. participated in an investigation of a complaint;

e. participated in any disciplinary hearing arising from an investigation, or;

f. taken any other steps in connection with this Policy.[5]

12. Freedom of speech and academic freedom are central tenets of College life as set out in our Code of Practice on Freedom of Speech (all policies can be found here: https://lincoln.ox.ac.uk/policies-and-reports) . Exposure to any of the following is unlikely to amount to harassment:

a) the content of higher education course materials, including but not limited to books, videos, sound recordings, pictures;

[2] Summarised from Equality Act 2010 section 26(2).

[3] Summarised from Equality Act 2010 section 26 (3)

[4] Summarised from Equality Act 2010 section 26(1).

[5] Summarised from Equality Act 2010 section 27, translated into actions that might arise in a College context.

b) statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course;

c) vigorous academic debate when conducted respectfully and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

However, in some cases otherwise-lawful speech can amount to harassment if the time, place, and/or manner of its expression interferes disproportionately with the rights of others. For example, speech which is acceptable as part of a formal debate on a controversial topic might nonetheless constitute harassment if delivered unprompted to a student with a relevant protected characteristic in a social context.

13. Reasonable management/criticism of work or the commencement of internal college procedures are not within themselves a form of bullying or harassment.

14. Harassment and bullying can take a variety of forms. **Appendix A** sets out a non-exhaustive list of examples of such behaviours.

Support

15. Members of the College community who feel that they have been subjected to harassment, bullying or victimisation or have witnessed such behaviour or who are the subject of an allegation of such behaviour can find welfare support and/or support and advice on the options available to them from a variety of different sources. **Appendix B** sets out a list of resources and the various sources of support available.

Application of this Policy

Reporting:

16. **Harassment**, **bullying** and **victimisation** are serious forms of **misconduct**. Members of the College community who consider that they have been subject to harassment, bullying or victimisation or have witnessed such behaviour may make a **report**. For reports relating to the behaviour of:

- a student of the College – report to the **Senior Dean**
- a member of College Staff – report to the **Head of HR**
- a College Fellow – report to the **Sub-Rector**
- College Lecturers and external tutors – **Senior Tutor**
- a guest of a student of the College - report to the **Senior Dean** in the first instance
- an alumnus or guest of an alumnus – report to the **Development Director**
- a third party – **Relevant College Officer (for third parties engaged in non-academic work, this would be the Domestic Operations Manager; for academic third parties, this is likely to be the Senior Tutor. If you are unsure, please ask the Domestic Operations Manager)**

University Procedures:

17. Incidents of harassment that occur within a University context will normally be dealt with under University procedures and policy. This includes alleged harassment by students of a college other than Lincoln College**,** in which case a report can be made to the Proctors. Advice and support on how to make a report to the Proctors can be provided for by the Senior Dean and/or College Harassment Advisors. For matters relating to a member of University staff who is not linked to the College please consult the University Harassment Policy/Procedure which can be found here: https://edu.admin.ox.ac.uk/harassment-staff

College Procedures:

18. Where the responsible officer or manager judges a report to raise sufficient grounds for investigation, the College will investigate and if necessary take action. This will take place under the **appropriate College Procedures (all of which can be found here: https://lincoln.ox.ac.uk/policies-and-reports)**. For reports relating to the behaviour of:

    - a student of the College – **Student Non-Academic Disciplinary Procedure**
    - a member of College Staff – **Employee Disciplinary Procedure**
    - a College Fellow – **Disciplinary Policy as detailed in the Statutes and By-laws**
    - Alumni/Guest of Alumni – **Guest Expectations Policy**
    - a third party – **contact the Bursar or Domestic Operations Manager or Senior Tutor.**

    Informal advice and support is available from the College's Harassment Advisors, including on how to make a report**.**

19. Wherever possible, the College will be guided by the wishes of those who have been subjected to alleged harassment in determining whether or not to begin formal procedures and in general will only usually investigate if they have received a report. However, the College reserves the right to investigate in the absence of a report from the person who has been subjected to alleged harassment or where they do not wish any action to be taken in certain circumstances (for example, where the alleged behaviour indicates a risk to others in the College community).

Informal Resolution:

20. Where appropriate and where the alleged victim wishes, reports of harassment, bullying or victimisation may be resolved informally without recourse to formal investigation or other procedures. If direct discussion is unfruitful, parties may seek mediation. The mediator will be an external professional mediator; he or she will not have any conflicts of interest. The appointment is facilitated by the Bursar who shall ensure the mediator's neutrality and expertise in conflict resolution. If the complaint involves the Bursar, it will be facilitated by the Sub-Rector. The mediator will facilitate a discussion between the parties to reach a mutually acceptable resolution. Mediation sessions are confidential and aimed at fostering understanding and resolution.

Precautionary Measures:

21. Where necessary, the College may also implement precautionary measures to ensure the safety of those involved or others on the College site. These may include (but are not limited to) precautionary measures under the Safeguarding Policy or suspension or action short of suspension under the Employee Disciplinary Procedure

Complaints:

22. A member of the College community who is dissatisfied with the College's actions regarding a report of alleged harassment, bullying or victimisation may make a complaint under;

    a. the Student Appeals Procedure, if the Complainant is a student (unless the complaint is more appropriately dealt with through another college procedure); Please contact the Senior Tutor for more information.

    b. Fellows and Staff may raise a Grievance under either the Grievance Procedure (unless the complaint is more appropriately dealt with through another college procedure) Please contact the Head of HR for more information.

23. No action will be taken against someone making a report of harassment, bullying or victimisation which proves to be unfounded if the report is judged to have been made in good faith. However, if someone is deemed to have known or to have reasonably been expected to know that a report was unfounded, the allegation of harassment, bullying or victimisation may be judged to be vexatious or malicious, and disciplinary action may be taken in accordance with the relevant procedure.

Confidentiality

24. All parties involved in a matter (including any witnesses who may be interviewed as part of any investigation, or other members of the College community, and/or trade union representatives supporting any of the parties) should maintain the confidentiality of the process. Where possible, those involved in advising complainants should 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 including but not limited to instances where there is a risk of harm to an individual, when a potential crime has been committed, where there are safeguarding concerns or a legal requirement to disclose, it may be necessary to disclose the information. Data Sharing with the University: disclosures may require sharing limited information with Oxford University, especially in cases involving risk to student welfare. The College will balance confidentiality with the duty to prevent harm.

Responsibilities

a. The Governing Body has overall responsibility for this Policy and for ensuring that the College takes all reasonable steps to promote and maintain an environment where neither harassment, bullying or victimisation is tolerated.

b. Responsibility for the operation and application of this Policy is delegated to the Senior Dean in respect of the conduct of student members; to the Rector in respect of the conduct of Fellows of the College; and to the Bursar in respect of the conduct of non-academic employees of the College.

c. All members and employees of the College are responsible for familiarising themselves with and adhering to this Policy.

Monitoring

a. The Governing Body will receive anonymised reports regarding the number and type of complaints made under this policy, via the annual report from the Harassment Advisors. This report will be informed by data from the Head of HR, Sub-Rector, Development Director, Senior Tutor, Senior Dean and Domestic Operations Manager.

b. The Equality Committee will oversee the actions in respect of this Policy of those to whom responsibility under this Policy has been delegated, and;

c. The Equality Committee will receive assurance and reporting on the application and effectiveness of this Policy for onward reporting to Governing Body. The Equality Committee will ensure that Harassment Advisors receive appropriate training and uptake of the training will be monitored.

25. This Policy will be subject to annual review by the **Equality Committee.**

Approved: Michaelmas 2025

APPENDIX A

This Appendix provides examples of behaviour which are not likely to amount to harassment and bullying as well as examples that *may* amount to harassment or bullying under this policy.

The following are key points to note:

- **The examples of behaviour provided are illustrative only and this list is non-exhaustive.**
- **Those referring to this list should refer specifically to the policy in the first instance when considering if a matter falls within this policy. The policy sets out the those who the policy applies to, the different means by which the behaviour can take place and other factors that will be taken into account such as the intention of the alleged perpetrator and the perception (and the reasonableness of that perception) of the alleged victim.**
- **Help, support and guidance can be sought from a variety of sources to assist in determining if a matter falls within the Policy (see Appendix B) for further information.**

Examples of behaviour that would *not* amount to harassment or bullying:

The following are unlikely to fall within this policy:

- Receiving constructive and reasonable criticism from your line manager.
- Reasonable criticism by a tutor (or another student in a tutorial context) of a student's work.
- The commencement of an internal college procedure e.g. student or staff disciplinary.

Examples of behaviour that *may* amount to harassment:

Repeated behaviour:

- Repeatedly making unwanted calls, messages, or emails.
- Sending a threatening message to more than one person.
- Repeatedly sending someone threats of violence or harm.
- Following or watching someone repeatedly, in person or online.
- Repeatedly sending graphic content, such as violent or hateful images, to someone.

Related to protected characteristics:

- Jokes or derogatory comments about someone's disability.
- Verbal and physical threats, or intimidating behaviour linked, for example, to gender reassignment, sex or sexual orientation.
- Sending memes mocking another person's religion to that person.
- Repeatedly questioning an individual's qualifications or right to be on a course or in a position at work based on aspects of their background, such as their gender, ethnic or racial identity.
- Consistently excluding someone from group work due to perceived religious, cultural, or gender differences.
- Comments, whether perceived or intended as jokes, that are based on someone's actual or perceived race or ethnicity and rooted in racial or ethnic stereotypes.

Sexual:

- Standing unnecessarily close to someone or staring at them in a way that feels uncomfortable or intimidating.
- Sending unwanted sexual messages that are humiliating, disrespectful or aggressive.

- Displaying or sharing pornographic or sexual images, or other sexual content.
- Making repeated sexual comments about someone's body or appearance.
- Unwanted physical contact, for example, placing a hand on someone's thigh, lower back, or shoulder.

Less favourable treatment:

- Less favourable treatment could include, for example, being excluded, criticised or ignored e.g: Excluding someone from normal work or study related conversations after they have previously rejected an unwanted sexual advance.

Examples of behaviour that *may* amount to bullying:

- Constantly putting someone down and giving them unfair criticism in a work or study setting.
- Excluding someone from events or study groups.
- Putting humiliating, offensive or threatening comments or photos on social media.
- Mocking someone because of their socio-economic background.

APPENDIX B

The following provides examples of sources of support and advice available to members of the College community. Support and advice are available to:

- **Those who feel they have been subjected to harassment, bullying or victimisation;**
- **Those who have witnessed harassment, bullying or victimisation;**
- **Those who are the subject of an allegation of harassment, bullying or victimisation**

Support is available to:

- **Provide support and advice on the options available;**
- **Provide welfare support**

Advice & Support for Students:

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

College Tutors, College Welfare Advisors, Harassment Advisors and Senior Dean

- For someone who can listen to concerns, signpost formal or informal routes to resolution and signpost to welfare support contact:

  The College's Harassment Advisors. Please see the poster in the Lodge for contact details.

- For welfare support as well as referrals to the University or external sources of welfare advice and support contact: The Welfare Co-ordinator: welfare@lincoln.ox.ac.uk.

- For advice on how to make a formal complaint under the College's Procedure or under the University Procedure (if the person complained about is from another college) contact:

  The College's Harassment Advisors. Please see the poster in the Lodge for contact details.

Peer Support

- In addition to the above there are options for informal discussion with the following:

  Peer Support

  This link to the University Website provides information on how peer support at Oxford works and how you can contact and find different peer supports be that college, departmental, divisional as well as coffee ambassadors, peers of colour, rainbow peers, peers of faith and disability diversity peers.

  Oxford SU Student Advice Service

  Advice and information service exclusively available to Oxford Students.

University Harassment Advisors Network

Harassment Advisor Network | Equality and Diversity Unit

Oxford University Counselling Service

- Oxford University Counselling Service

University Sexual Harassment Advice & Support Service

- Oxford University Sexual Harassment & Violence Support Service
  A safe space to be heard, with advisors offering free support and advice to any current student impacted by sexual harassment or violence.
- The University ISVA Service
  Independent of a student's college or department. Can support as an advocate if reporting sexual violence to their college, the Proctors Office or police. Information on the criminal justice process as well as support.

External Resources

- Further Support | University of Oxford
  A number of organisations locally and nationally providing specialist support to individuals affected by sexual harassment.

Advice & Support for Staff:

Non-Academic Staff who feel they have been harassed, bullied or victimised can raise this/seek advice from:

Line Manager

Head of Human Resources

Bursar

Harassment Advisers

Rector *(if conflict in reporting to above)*

Academic Staff who feel they have been harassed, bullied or victimised can raise this/seek advice from:

Senior Tutor

Head of Human Resources

Harassment Advisers

Head of House *(if conflict in reporting to above)*

University Harassment Advisors Network

Harassment Advisor Network | Equality and Diversity Unit

A network for staff who feel they have been harassed or bullied. Use this to locate your local advisor.

External Resources

- Further Support | University of Oxford
  A number of organisations locally and nationally providing specialist support to individuals affected by sexual harassment.

Information and training on bystander intervention and how to support others safely. No formal steps are needed to speak with someone. Responsible Bystander | Equality and Diversity Unit

Employee Assistance Programme
The Employee Assistance Programme is available to all staff, including those who feel that they have been harassed, bullied or victimised:
Work Nest
www.worknest-eap.org.uk

The access code is: LincolnEAP
EAP Helpline – 0800 328 1437

Accused of harassment/bullying/victimisation:

The above resources are all available as well for those accused of harassment, bullying or victimisation.

See also:

University Reported Student Support

A confidential specialist support service for students who are subject to an allegation of harassment or sexual misconduct.

NOTE: if both the reporter and the subject of a report both seek welfare support and advice the welfare team/human resource lead will make sure that a separate advisor is available for both people and that confidentiality is preserved.

The Employee Assistance Programme is also available to those accused of harassment, bullying or victimisation:

Work Nest
www.worknest-eap.org.uk
The access code is: LincolnEAP
EAP Helpline – 0800 328 1437