

Girton College Discipline Policy

Incorporating investigations concerning harassment, bullying, discrimination and sexual violence



This document contains:

- **College Rules of Behaviour**
- **Code of Conduct in Respect of Harassment and Sexual Misconduct**
- **Precautionary Action Policy**
- **Student Discipline Procedure**
- **Harassment, Bullying and Discrimination Policy**
- **Sexual Misconduct Policy**

Approved by Council on 22 July 2022 and effective from 1 September 2022. Revised by Council on 16 March 2023 and 27 June 2024.

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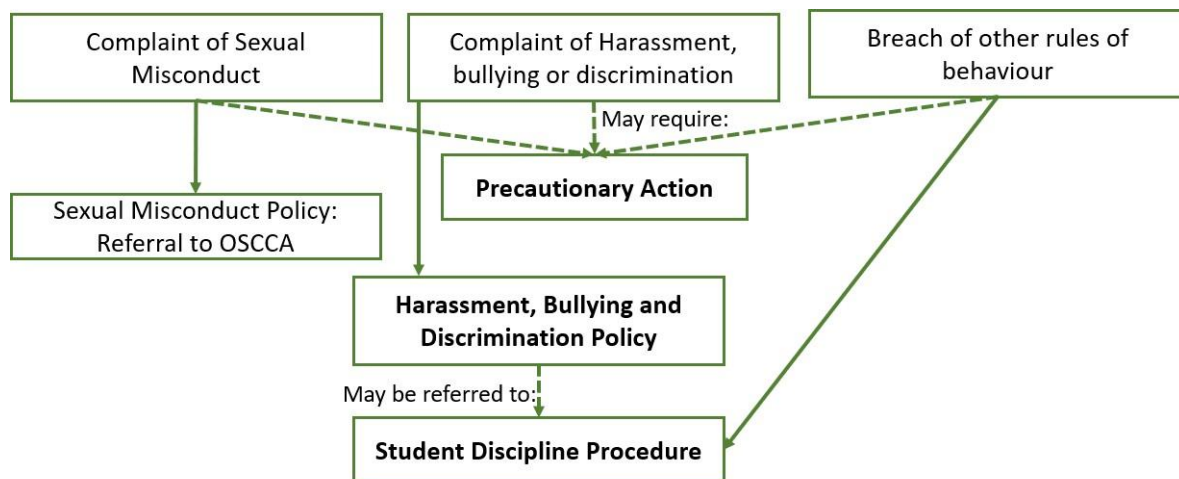
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Introduction

This document details Girton College's policies to ensure respect and consideration for others in the College and to uphold the College Rules of Behaviour. It takes into account College Statute XIV. It includes the Rules of Behaviour and describes the policies to deal with breaches of those Rules. This includes the Harassment, Bullying and Discrimination Policy; the Sexual Misconduct Policy; the Student Discipline Procedure. The Student Complaints Procedure for issues other than student behaviour is a separate document available on the [website](#).

On 29 July 2019, Council agreed that incidents of sexual misconduct would normally be dealt with under the University Procedures via the [Office for Student Conduct, Complaints and Appeals](#).

These policies are all related to each other as shown below:



If a student has concerns about how any of these procedures have operated, they may be able to raise a complaint under the Student Complaints Procedure.

Any student involved in any of these procedures should seek support throughout the process. College has a duty of care to all students, regardless of their role in any of these procedures, and you should contact your Tutor, the Senior Tutor, one of the College Discrimination and Harassment Contacts, the Nurses, the Chaplain or a welfare officer to support you and help you access other specialist [support](#).

There is a comprehensive glossary in [Appendix 2](#); it is necessary to understand some of the terminology used throughout this document and we recommend you consult it.

A. Rules of Behaviour for Members of College Who are Current Students (i.e. *in statu pupillari*)¹

Members of the College are reminded that they are also members of the University and must abide by the University's Regulations, in particular those on Discipline in Statute and Ordinance 02, summarised on the [OSCCA website](#). Within the College, discipline is covered by Statute XIV, which is quoted below. (Please note that on amending the Statutes to admit men to the College it was agreed that any reference in the Statutes to women should be deemed to refer also to men).

Statute XIV – Discipline of the College

“All members of the College *in statu pupillari*¹ shall show due respect and obedience to the Mistress, the Vice-Mistress and other officers of the College. They shall conduct themselves in a quiet and orderly manner and shall observe the regulations of the College and of the University in regard to residence and in all other respects.

If any member of the College *in statu pupillari* fails to show due diligence in her studies, or if she is guilty of conduct offending against the regulations of the College or the University, or of conduct offending against discipline and good order or tending to bring discredit on the College, she may be punished: a) by the Mistress or other competent officer in any appropriate manner short of forfeiture of emolument or rustication; b) by the Council with the concurrence of at least eight votes, by deprivation of the status of Bye-Fellow, Scholar or Exhibitioner, by forfeiture of any emolument, by rustication, or by expulsion, providing always that she shall have been given the opportunity of appearing before the Council to make a statement in her defense.

The foregoing provisions shall apply to any woman, not being a Fellow of the College, who has been admitted to membership of the College for the purpose of advanced study or research in the University, whether as a Scholar or otherwise, even though she is not *in statu pupillari*.”

Council agreed at its meeting on 14 June 2019 that in future Council's role under College Statute XIV would extend only as far as permitting a student to come before it to make a statement without being questioned. It would be the role of the Appeals Panel to hear and probe appeals on Council's behalf in relation to Statute XIV in other respects.

For the purposes of this policy College Council has agreed, as of 1.10.19, *in statu pupillari* is taken to mean all members of the JCR and MCR.

¹ Council agreed at its meeting on 14 June 2019 that the term person *in statu pupillari* shall mean all JCR and MCR members of College.

Rules of Behaviour

All Members of College *in statu pupillari* are responsible for following the Rules of Behaviour. Not knowing or forgetting about the rules or their consequences is not a justification for not following them.

1. All Members of college *in statu pupillari*¹ must:

- (a) comply with instructions issued by any person or body authorized to act on behalf of the College, in the proper discharge of their duties;²
- (b) comply with the [accommodation handbook and tenancy agreement](#);
- (c) comply with codes of conduct as published [on the college website](#), including the social media policy, IT policies, drugs and alcohol policy, harassment, bullying and discrimination policy and the sexual misconduct policy;
- (d) comply with all health and safety regulations and instructions issued by the College or other associated institution;
- (e) inform the College of any relevant unspent criminal conviction³;
- (f) comply with the terms of the code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986 regarding meetings and public gatherings on College grounds⁴; and event and sports booking requirements [as published on the college website](#);
- (g) comply with the Statutes and Ordinances and any rules and procedures established under the Statutes and Ordinances⁵.

2. Members of college *in statu pupillari*¹ must not:

- (a) interfere or attempt to interfere in the activities of the College⁶, or any member of the College in the pursuit of their studies or in the performance of their duties;
- (b) damage, misappropriate or occupy without appropriate permission any College property or premises, or any property or premises accessed as a result of a College activity⁷;

² 'Instructions issued by any person or body authorised to act on behalf of the College' including (but not exclusively) requests to attend meetings (e.g. by a DoS or Tutor), to provide identification upon request, and to share primary datasets or data analysis with a supervisor.

³ This is defined in the Glossary below and in Appendix 2.

⁴ 'The code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986' relates to meetings and public gatherings on University premises. The Code of Practice is available at: <https://www.cambridgestudents.cam.ac.uk/new-students/rules-and-legal-compliance/freedom-speech>.

⁵ 'Rules and procedures established under the Statutes and Ordinances' include: procedures that govern student conduct; Statute XIV; Ordinance XXI.1 Dean of Discipline; Ordinance XXI.2; regulations governing information services, motor vehicles, bicycles and boats; and the payment of fees and fines; this procedure.

⁶ 'Activities of the College' include activities in which a student is participating that involve other organisations working in partnership with the College.

⁷ A 'College activity' is an academic, sporting, social or cultural activity either on College grounds or elsewhere in the context of a person's membership of the College.

- (c) interfere in the freedom of speech or lawful assembly of a member of the College or visitor to the College;
- (d) engage or attempt to engage in physical misconduct⁸, sexual misconduct⁹ or abusive behaviour¹⁰, including online: towards a member of the collegiate University community; or towards anyone within the precincts of the College or during the course of a College activity¹¹;
- (e) damage or misappropriate property belonging to a member of the College; or belonging to anyone within College grounds or during the course of a College activity;
- (f) engage in any form of academic misconduct¹²; this would normally be dealt with under [University Procedures](#);
- (g) endanger the health and safety of anyone within College grounds or in the course of a University or College activity;
- (h) forge, falsify or improperly use information to gain or attempt to gain a personal advantage;
- (i) Covertly (without permission) record College meetings or supervisions, whether online or in person.

3. Any breach of the Rules of Behaviour may be considered more serious if:

- (a) it took place under the influence of alcohol or illicit substances;
- (b) it was motivated by the protected characteristics¹³ or perceived protected characteristics of another;

⁸ 'Physical misconduct' is any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.

⁹ 'Sexual misconduct' is any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments.

¹⁰ 'Abusive behaviour' is any unwanted behaviour which is reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of or supply of illicit substances, making malicious accusations, repeatedly contacting someone, and abuse that takes place within an intimate relationship. Abusive behaviour can take place in physical or virtual environments.

¹¹ The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for a person to object to the behaviour for it to be unwanted. The word 'unpermitted' means 'not permitted' or 'unauthorised'. A number of behaviours can indicate where permission has been given, for example, verbal comments or physical actions. Permission for an activity can only be given at the time it is taking place and where the person has the choice to give or not give permission. Where there is disagreement as to whether an activity was unpermitted, the applicable test shall be, taking all circumstances into account, whether a reasonable person would consider the activity was unpermitted.

¹² 'Academic misconduct' is gaining or attempting to gain, or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research. It is more fully defined in the Glossary.

¹³ These are listed in the Equality Act 2010 and are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

- (c) the Respondent has previously been found to have breached the same Rule of Behaviour;
- (d) the Respondent has not complied with any sanction or measure under the Student Disciplinary Procedure;
- (e) the Respondent has breached precautionary action measures whilst the Student Disciplinary Procedure has been ongoing;
- (f) the Respondent has not provided the College with reasonable information upon request so that it can assess the risk the respondent may pose to the College community;
- (g) the Respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, Reporting Persons or Witnesses, in relation to that breach;
- (h) the Respondent has abused a position of power or trust.

Extended glossary

‘Academic misconduct’ is gaining or attempting to gain, or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research. It includes being in possession of unauthorised materials or electronic devices during an examination, including recording or communication devices or devices that can store data, even where the Registered Student is unaware that such materials or devices are unauthorised, has no intention of using them, or is unaware that they have them in their possession. Academic misconduct also includes:

- Plagiarism: using someone else’s ideas, words, data, or other material produced by them without acknowledgement;
- Self-plagiarism: using the Registered Student’s own ideas, words, data or other material produced by them and submitted for formal assessment at this University or another institution, or for publication elsewhere, without acknowledgement, unless expressly permitted by the assessment;
- Contract cheating: contracting a third party to provide work, which is then used or submitted as part of a formal assessment as though it is the Registered Student’s own work;
- Collusion: working with others and using the ideas or words of this joint work without acknowledgment, as though it is the Registered Student’s own work, or allowing others to use the ideas or words of joint work without acknowledgment;
- Impersonating someone or being impersonated in an examination or arranging for someone to impersonate someone else by sitting their examination;
- Fabrication, falsification or misrepresentation of data, results or other outputs or aspects of research, including documentation and participant consent, or

presenting or recording such data, etc, as if they were real; or

- Failure to meet legal, ethical and professional obligations in carrying out research. This includes failure to follow agreed protocol if this failure results in unreasonable risk or harm to humans, other sentient beings or the environment, and facilitating of misconduct in research by collusion in, or concealment of, such actions by others. It includes any plan or conspiracy to attempt to do any of these things.

A 'relevant' unspent criminal conviction includes a conviction for the following:

- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in at least actual bodily harm.
- Sexual offences, including those listed in the Sexual Offences Act 2003.
- The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
- Offences involving firearms.
- Offences involving arson.
- Offences involving terrorism.
- If a student was convicted outside the United Kingdom for the type of offence listed above, this is also considered a relevant conviction.
- For the purposes of this definition, out of court disposals are considered to be convictions, with the exception of uncontested Penalty Notices for Disorder (PNDs). Civil injunctions and Community Protection Notices (CPNs) are not considered to be convictions, unless breach of their terms has resulted in a criminal conviction. Whether or not an offence is considered 'spent' is defined by the Rehabilitation of Offenders Act 1974 and subsequent revisions to the Act.

B. Code of Conduct for Students in respect of Harassment and Sexual Misconduct

Girton College is committed to providing an environment that is free from discrimination and affirms the right of all members to be treated with dignity and respect. The College will not tolerate harassment of one member of its community by another nor sexual misconduct. The College will take allegations of harassment and sexual misconduct very seriously and may take action, including disciplinary action, in response to a complaint from a student.

In line with the University, the College defines harassment as single or repeated incidents involving unwanted or unwarranted conduct towards another person which it is reasonable to think would have the effect of (i) violating that other's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other.

Harassment may be verbal, psychological or physical, in person or via a virtual platform or through other methods of contact. Harassment may occur in the course of an academic, sporting, social, cultural or other activity either within the Precincts of the University or elsewhere in the context of a person's membership of the University, or in circumstances where the victim of the harassment is a member, officer, or employee of the University or a College.

Under this Code of Conduct unacceptable behaviour, whether intentional or not, can take a variety of different forms. The following descriptions are not exhaustive, but give an indication of the types of behaviour which the University and the College consider to be unacceptable:

- making sexual remarks about body, clothing or appearance, the display or distribution of sexually explicit material, or demands for sexual favours;
- Making or engaging in unwelcome and unpermitted sexual advances or suggestive behaviour, even if it is perceived as harmless by the individual behaving this way
- engaging in harassment on the grounds of a person's sexuality (or assumptions about a person's sexuality) including making derogatory homophobic, transphobic or biphobic remarks or jokes aimed at a particular person, offensive comments relating to a person's sexuality, refusal to acknowledge a person's gender or identity, or threats to disclose a person's sexuality to others;
- making offensive references to a person's race, ethnicity, skin colour, religion or nationality, dress, culture, background or customs;
- ignoring, disparaging or ridiculing a person because of assumptions about their capabilities, or making offensive reference to an individual's appearance, in the context of their disability;
- controlling or coercive behaviour, such as pressure to subscribe to a particular political or religious belief.

Online harassment may take the form of intimidating, offensive or graphic posts on social media sites or chat rooms, or communications by email, text or instant messaging.

Sexual misconduct includes the following, whether or not within a sexual or romantic relationship, including where consent to some form of sexual activity has been given and then withdrawn, or if consent has been given on previous occasions:

- sexual intercourse or engaging in a sexual act without consent;
- attempting to engage in sexual intercourse or engaging in a sexual act without consent;
- sharing private sexual materials of another person without consent;
- kissing without consent;
- touching inappropriately through clothes without consent;
- inappropriately showing sexual organs to another person;
- repeatedly following another person without good reason.

C. Precautionary Action Policy

1. In cases of harassment, bullying, discrimination or sexual misconduct or any other case where the safety of others is a concern the Senior Tutor shall have power to impose any precautionary measures set out below where they consider that any such measures are necessary, normally in consultation with the Dean and/or Head of Welfare and Wellbeing (unless the situation is time-critical):
 - (a) to ensure that a full and proper investigation can be carried out in relation to any matter (whether under a procedure in the College, or by the University or the Police); and/or
 - (b) to protect any person while any matter is being dealt with under a procedure in the College or as part of a criminal process.

The Senior Tutor shall review the measures after 21 days and have the power to extend any precautionary measures imposed for successive specified periods of up to 2 months.

2. The precautionary measures which the Senior Tutor may impose are any one or more of the following:
 - (a) excluding the person from some or all of the College's facilities and/or premises;
 - (b) imposing conditions on the person
 - (i) in connection with that person's use of the College's facilities and/or premises or that person's contact with other persons, or
 - (ii) in such other ways as may be considered necessary; and
 - (c) suspending the person in question either in full or in part from their studies.

The Senior Tutor or Dean may also, as needed, liaise with the University, should Precautionary Action need to be taken in regard to University settings (in accordance with [Special Ordinance D\(v\): Precautionary Action \(Special Ordinance under Statute D 1\)](#))).

3. All cases requiring Precautionary Action will either be referred to the Student Discipline Procedure or to OSCCA as appropriate.
4. Individual students who are subject to precautionary measures imposed by the Senior Tutor under this procedure have the right to provide representations when the decision regarding precautionary action is made, or where a decision is required to be made immediately as a result of the level of risk, as soon as possible following the decision. Students who are subject to precautionary measures have the right to ask for a review of the decision if there is a material change in the circumstances of the case. They can also appeal the decision through a disciplinary committee appointed by the Dean for this purpose.

D. Student Discipline Procedure

1 Introduction

Scope and principles

- 1.1 This procedure enables the College to consider whether a student¹⁴ has breached the Rules of Behaviour and, if it is found that the Rules have been breached, to impose proportionate sanctions or measures. The procedure enables the College to respond appropriately to breaches of the Rules of Behaviour, to protect the College and its community. It does not exist to resolve personal disputes that do not constitute bullying or harassment.
- 1.2 Where a complaint constitutes Harassment, Bullying or Discrimination, or Sexual Misconduct (including sexual harassment), the relevant policy in Sections E or F below should be consulted alongside this policy.
- 1.3 This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for a Respondent¹⁵ or the College to be legally represented at any meetings that form part of the procedure apart from in exceptional circumstances. The process is between the College and the Respondent; not between the Reporting Person¹⁶ and the Respondent.
- 1.4 Most minor disciplinary breaches will be dealt with directly by the Dean of Discipline¹⁷ in an informal and timely manner and will not necessitate recourse to the full scope of the Disciplinary Procedure.
- 1.5 All decision-makers¹⁸ and investigators¹⁹ will receive appropriate instruction to undertake their role and be appropriately resourced and supported. No decision-maker or investigator will have any previous involvement with the matter that they are considering, or personal knowledge of the Respondent or Reporting Person.
- 1.6 In reaching a decision on what action, if any, to take, Girton College may seek legal advice at any point in the process.
- 1.7 Any reference in this procedure to a named role includes a deputy appointed by that role-holder to exercise the functions assigned to that role-holder under this procedure.

¹⁴ Members of college *in statu pupillari* of the College (A matriculated student following a course leading to the award of a degree, diploma, or certificate of the University).

¹⁵ A student whose conduct is the subject of a complaint or concern under a policy in this document.

¹⁶ A student who has made a complaint of harassment, bullying, discrimination or sexual misconduct occurring against themselves; or anyone (whether a student or not) who has submitted a report of another kind of breach of the rules of behaviour.

¹⁷ A person with responsibility for determining whether a Concern should be investigated, conducting any investigation or delegating a complex investigation where appropriate and determining the action taken following the investigation. The Dean may also make referrals to a Discipline Committee and undertake other work relevant to the Student Discipline Procedure.

¹⁸ The Dean of Discipline or any member of the Discipline Committee or Appeals Committee as defined in the Student Discipline Procedure.

¹⁹ The Dean of Discipline or deputy nominated to investigate a Concern raised under the Student Discipline Procedure.

- 1.8 The College owes a duty of care to all members, including Reporting Persons, Witnesses²⁰ and Respondents, to safeguard the interests and safety of the College.
- 1.9 Respondents, Witnesses, Reporting Persons and their supporters and representatives, as well as decision-makers and investigators, are required to communicate and act respectfully and reasonably at all times whilst using the procedure and to treat the processes with respect. Abusive behaviour will not be tolerated. If, following a warning, someone continues to behave in an unacceptable manner, that person may be subject to separate disciplinary action. The person may be required by a decision-maker to stop engaging with this procedure or engage in a limited manner, even if this impacts upon the consideration of the Concern²¹ or a subsequent appeal.
- 1.10 Some breaches of the Rules of Behaviour will also be in breach of the University's Statutes and Ordinances and may result in the University taking disciplinary action. The College shall take into consideration any action taken by the University to ensure that the Respondent is not punished twice for the same breach. Where the concern involves students at different colleges the case would normally be referred to the University procedure.

Seeking support

- 1.11 The procedure itself can be stressful for those involved. The Dean of Discipline and decision-makers will take into account the potential effects upon those engaging with the procedure and, where possible, minimise these effects. All Reporting Persons, Respondents and Witnesses will receive information about how to access support during this process. The appropriate support will depend on the circumstances of the case, but may be delivered by a College, the University, the Student Advice Service or external support organisations.
- 1.12 Reasonable adjustments shall be made to the procedure to allow fair access for students with a disability. Respondents, Reporting Persons and Witnesses are requested to make any reasonable adjustments known to the Dean of Discipline so that these can be put in place. The Dean of Discipline may seek expert opinion regarding reasonable adjustments to ensure appropriate implementation and shall keep a record of any such adjustments.

²⁰ A person who has witnessed the Respondent's behaviour or has witnessed a matter connected to the Respondent's behaviour as alleged in the Concern. The Witness may be someone to whom the behaviour was directed, or a third party.

²¹ A complaint that has been referred to the Student Discipline Procedure.

Communications and records

- 1.13 To ensure that a Respondent's views are accurately represented during the process it is preferable for the College to correspond directly with the Respondent. However, it is accepted that sometimes this will not be in the best interests of the Respondent, for example, where a Respondent is reluctant to make or receive decisions about a Concern without support, as a result of an underlying medical condition or disability. Where a Respondent would prefer correspondence to be directed through an authorized representative, permission needs to be provided by the Respondent in writing or via the Respondent's University email account. Where this is appropriate, the Respondent will be given reasonable time to arrange this support.
- 1.14 Administrative support and note-taking shall be provided to the Dean by the Student Services Office. All emails will be copied to discipline@girton.cam.ac.uk and a record kept of the process, managed by the Student Services Office.
- 1.15 The College shall share the information and evidence related to an investigation and outcome with members of staff, the Respondent, the Reporting Person and Witnesses *where it is strictly necessary to do so in order to process, investigate, and/or determine the outcome of an alleged breach of the Rules of Behaviour, or to implement any sanctions or measures following a finding*. All information received from a Reporting Person, Respondent, Witness or staff member will be handled sensitively and in accordance with the College's [Data Protection Policy](#) and Policy on the use of personal information ([Appendix I](#)).
- 1.16 The College shall share all evidence considered in reaching a decision (except where the decision-maker determines that there is a compelling reason not to do so), the decision itself, the reasons for the decision and any sanctions or measures, with the Respondent. The evidence considered in reaching a decision may not be shared with the Respondent where the identity of the Reporting Person, or the identity of a Witness, or personal data or special category data belonging to another has been provided, where that person does not wish that data or identity to be shared and there is a compelling case for the matter to be investigated without revealing this information to the Respondent. A compelling case may include where the information is of no relevance to the Concern and therefore it does not need to be relied upon. Any student affected by such a decision who is dissatisfied can raise a complaint under the [Student Complaints Procedure](#). Where information is unable to be shared with the Respondent, this may affect the decision-maker's ability to rely on this evidence in reaching a decision. Where evidence is not relied upon by the decision-maker, this will be specified in the reasons for the decision.
- 1.17 Where relevant, the College shall share the initiation of an investigation, the investigation findings and the reasoned determination of the Dean of Discipline or Discipline Committee, including any sanctions or measures with the University, regulatory bodies (for example, the Disclosure and Barring Service),

professional bodies (for example, the General Medical Council), or other organisations with whom the student may be connected, where it is appropriate to do so (for example, where the student holds a position of responsibility for children or vulnerable adults). Where formally requested to do so, or where the College considers that someone may be at significant and immediate risk of harm, the College may disclose information received through this procedure to the police. When initiating an investigation, the Dean of Discipline will inform the Respondent in writing of the circumstances by which the information about the case will be shared.

- 1.18 The College shall share investigation findings, the reasoned determination of the Dean of Discipline or the Discipline Committee, and sanctions or measures with the Reporting Person and Witnesses, where such information is relevant. 'Relevant' information is that which has a *direct impact* on the Reporting Person or Witness. *The Reporting Person or Witness cannot appeal the sanctions given by the Dean of Discipline or Discipline Committee.* However, if there are concerns about how the matter was handled or the process used in reaching an outcome then the Reporting Person or Witness may be able to make a complaint under the Student Complaints Procedure.
- 1.19 It is necessary that all parties feel able to engage fully with the procedure without concern for the wider sharing of information disclosed within the investigation process. Following the conclusion of the procedure, those involved may discuss their personal experience of the procedure with others. However, regardless of the outcome, parties should not identify or provide details that might identify any individual involved in the investigation or subsequent decision-making process.

Criminal offences

- 1.20 Some breaches of the Rules of Behaviour could also constitute criminal offences. The College will not normally investigate a matter where criminal proceedings are ongoing (including criminal investigations and appeal processes), pausing any action under this procedure until criminal proceedings are complete. Following an investigation undertaken by the police and any subsequent criminal proceedings, where it appears unlikely that criminal proceedings will take place, or where the behaviour being investigated by the College is different to the behaviour being considered through criminal proceedings, the College may take its own action under this or another procedure.
- 1.21 The College will treat relevant police fines, cautions, out-of-court disposals, reprimands, final warnings or criminal convictions received by the Respondent as evidence that the behaviour, on which the offence was based, took place. A 'not guilty' or 'no further action' outcome from the police or criminal proceedings will not prevent the College from undertaking its own investigation as to whether a breach of the Rules of Behaviour has occurred.

- 1.22 Where the concern refers to a potential criminal offence, the Reporting Person and Respondent will be made aware by the Dean of Discipline (in consultation with the Senior Tutor) that the College may be required to provide as evidence in any subsequent criminal investigation or proceedings in a court of law information regarding the Concern, including any admission made in the course of this procedure.

2 Submitting a Concern

- 2.1 The College will normally be informed of a potential breach of the Rules of Behaviour by a Reporting Person. The Reporting Person may be a person who has been impacted by the reported behaviour, witnessed the reported behaviour or became aware of the reported behaviour through other means. This may include the Senior Tutor on receipt of an incident report from the Porters or another Member of the College.
- 2.2 To submit a Concern, the Reporting Person must submit a Concern together with any evidence the Reporting Person wishes to provide, to the Dean of Discipline, via the email address discipline@girton.cam.ac.uk.
- 2.3 It will not normally be possible for the Reporting Person to submit a Concern anonymously, apart from in exceptional circumstances where there is a compelling case as decided by the Dean of Discipline, supported by evidence, for the matter to be investigated. Where an anonymous Concern is accepted, the Concern will normally be accompanied by independent evidence enabling an investigation to take place without the involvement of the anonymous Reporting Person.
- 2.4 Concerns are ideally submitted in a timely manner, so that matters can be dealt with effectively. However, it is accepted that this is not always possible, for example where evidence of misconduct only becomes apparent after a significant period of time, or where a matter has significantly impacted an individual and the effects of this impact has led to a delay in reporting. There is no arbitrary deadline for the submission of a Concern, although Respondents will need to be students at the time the Concern is raised to enable meaningful sanctions and measures to be imposed.²² It may not be possible to investigate a Concern where the events took place a significant time previously.

²² In the case of intermitting students if the alleged misconduct had occurred before they had begun intermission then we would be able to investigate it whilst they were on intermission (although we may choose not to do so if the intermission was for health grounds). If the misconduct had occurred whilst they were on intermission then they would be considered a formerly registered student for such purposes - an intermitting student should not be using any of the facilities/premises of the University or College or studying/engaging with students or staff in a way that would mean that the disciplinary regulations should apply, except those relating to formerly registered students.

- 2.5 The Dean of Discipline shall communicate with the Reporting Person to acknowledge the Concern that has been received, to request further information where the Concern as communicated is incomplete, and to offer the Reporting Person a meeting to discuss the Procedure, though this can take place before a Concern is submitted. Where the Concern refers to a potential criminal offence, the Reporting Person will be made aware that the College may be required to provide evidence to criminal investigation or proceedings (including any admissions), as per para. 1.22.
- 2.6 The Dean of Discipline will determine whether the following criteria are ALL met:
- (a) there is an allegation of conduct that, on the face of it, would appear to breach the Rules of Behaviour;
 - (b) this procedure is the most appropriate procedure to use to investigate the matter; and
 - (c) the Concern has not already been investigated using this procedure.
- 2.7 Where all the criteria have been met, the Dean of Discipline shall investigate the Concern or commission an investigation by another trained investigator. Where at least one of the criteria has not been met, the Dean of Discipline shall not investigate the Concern. Where the procedure is not the most appropriate procedure the Dean may advise referring the case to another procedure.
- 2.8 In cases where the Dean of Discipline assesses that there is a need to put in place precautionary action whilst an investigation is on-going, the Dean will liaise with the Senior Tutor according to the College's Precautionary Action policy (Section C).
- 2.9 Where part of the Concern has previously been investigated, it is at the discretion of the Dean of Discipline to decide whether to investigate the aspect that has not yet been investigated, taking into account why the matter was not previously fully investigated, the length of time that has elapsed since the investigation, the severity of the misconduct, the impact on the Respondent of undergoing a second discipline investigation, and whether there would be repercussions for the Respondent's fitness to practise were the decision taken not to investigate the matter.
- 2.10 The Dean of Discipline shall give written reasons for the decision about whether to commission an investigation and communicate the decision and the reasons to the Reporting Person in writing, within 7 days of making a decision. Reporting Persons who are students and dissatisfied with the outcome may be able to make a complaint under the Student Complaints Procedure within 28 days of being notified of the decision.
- 2.11 Where an investigation is not commissioned and any complaint relating to this decision has been completed, the Respondent shall normally be notified in writing of the Concern, the decision of the Dean of Discipline, the reasons for the decision, and confirmation that no further action will be taken under this procedure. This notification shall normally be provided to the Respondent within 7

days of the Dean of Discipline's decision, or where the Reporting Person is a student, within 7 days of the deadline for raising a complaint about the decision or, if a complaint is submitted, following the completion of the complaint. However, where sharing this information with the Respondent may impact upon an investigation being undertaken under a different procedure or by an external body, a delay to informing the Respondent may be necessary.

3 Investigating a Concern

- 3.1 In the case of most minor infractions, an initial meeting between the Dean and Respondent will form the basis of any investigation of a Concern. In some cases, the original Concern will be sufficient to determine, on the balance of probabilities, that a breach of behaviour has occurred.
- 3.2 Where an investigation is undertaken, the Dean of Discipline shall write to the Respondent to confirm that a Concern naming the Respondent has been received, the nature of the alleged behaviour, the relevant Rules of Behaviour that have allegedly been breached and that an investigation shall be conducted. The Dean of Discipline will provide a brief summary of the Concern, naming the Reporting Person (unless, exceptionally, an anonymous Concern has been accepted) and including sufficient information to allow the student to respond to the allegation(s), and a copy of the relevant procedure. A warning must be given not to attempt to contact the Reporting Person or any other Respondent or Witness (*per para. 3.5*). The summary shall describe the investigation process, the possible outcomes, including potential referral to other procedures (as *per para. 3.3* below), for example fitness to practise, and who may need to be informed of these outcomes. It will also explain the circumstances in which information about the case will be shared with others (pursuant to paras. 1.15-1.18, especially 1.17). Where the concern refers to a potential criminal offence, the Respondent will be made aware of the potential consequences, including that the College may be required to provide evidence to criminal investigation or proceedings (including any admissions), as *per para. 1.22*. The Dean of Discipline will inform the Respondent of the avenues of support available to them.
- 3.3 Sometimes a Concern will be more appropriately investigated under another procedure, for example, the Support and Assessing Readiness to Study Procedure, if the behaviour has been wholly caused by an underlying medical condition, or a University procedure. It will be at the discretion of the Dean of Discipline, in consultation with relevant College Officers to decide which procedure is most appropriate to investigate student behaviour. The College reserves the right to refer a matter to another procedure at any time during this procedure. Sometimes a Concern will be appropriately investigated under this procedure but nonetheless, following the outcome, it will be necessary to refer the matter to another procedure.
- 3.4 Where a Concern involves more than one Respondent, it will be at the discretion of the Dean of Discipline to decide whether the Concern should be separated into separate investigations for some or all of the Respondents. Where an investigation includes more than one Respondent and the Dean of Discipline has chosen to refer the matter to the Discipline Committee, the Chair of the Discipline Committee

shall have the discretion to decide whether there shall be a single hearing for all of the Respondents, or a separate hearing for each Respondent. The Chair shall have due regard to implications of such a decision for the sharing of information between Respondents. Where a hearing involving multiple respondents takes place, the personal mitigation of each Respondent, unless it refers to the other Respondent(s), shall not be shared with the other Respondent(s). Where multiple Respondents appeal the decision of the Discipline Committee decision appeals shall usually be considered separately but by the same Appeal Committee.

- 3.5 While the procedure is ongoing, a Respondent must not contact or attempt to contact the Reporting Person or any other Respondent(s) or Witness(es) to the alleged misconduct either directly or via another person, including online and in-person interaction. Except where Precautionary Action (Section C) precludes it, Respondents may continue to pursue and complete their studies, including graduating, unless informed otherwise by the Dean of Discipline.
- 3.6 The Dean of Discipline shall conduct an investigation which may require written statements, meetings and evidence relevant to the investigation. In any investigation, the Respondent may be asked to submit a written statement describing the incident and making any other comments they wish to bring to the Dean's notice before the meeting. Respondents should take into account paragraph 4.4 of this Discipline Procedure, especially points (d), (f), (g) and (h), when shaping their response(s). Written notes shall be taken of all investigative meetings. Any person required to attend an investigative meeting will be able to bring a supporter of their choosing to the meeting and will be directed to appropriate sources of support. At the meeting they can present written information, evidence and the names of any Witnesses and shall have the opportunity to comment on the Dean of Discipline's written notes of any meeting that they have attended.
- 3.7 In complex cases, the Dean of Discipline shall normally meet with the Reporting Person and with the Respondent to receive an oral account. The Dean of Discipline may meet with any Witnesses or instead collect information through written statements. The Dean of Discipline shall give anyone impacted by the alleged behaviour being investigated the opportunity to provide an Impact Statement.
- 3.8 Witnesses are expected to engage fully with the procedure, as far as is reasonable in the circumstances.
- 3.9 Where reasonable, physical meetings can be replaced by virtual meetings, where a Respondent, Reporting Person or Witness may attend a meeting by video or telephone call at the discretion of the Dean of Discipline or Chair of the Committee.
- 3.10 In addition to investigating the Concern itself, the investigation shall include gathering information about and investigating the seriousness of the Concern, any mitigation provided by the Respondent and any relevant previous breaches of the Rules of Behaviour by the Respondent. During the investigation, it may be necessary to request further information and responses from those who have already provided oral or written accounts. Information the Dean of Discipline may consider collecting, where relevant and available, includes validating information that has been provided

by others, records of correspondence, CCTV evidence, University Card door access data, medical evidence from qualified medical practitioners, and records of online activity. This is a non-exhaustive list and the Dean of Discipline may request any other material that the Dean considers will provide value to the investigation. The College does not have the resources to undertake its own forensic investigation and therefore, unless this type of information already exists, the Dean of Discipline shall not normally seek it. The Dean of Discipline may also consult with other Fellows of the College with appropriate expertise and experience for the particular case. Such consultations will be noted in the Investigation Report.

- 3.11 The College shall investigate and consider Concerns in a timely manner, providing reasonable deadlines at each stage of the process for decision-makers to provide decisions and for Respondents, Reporting Persons and Witnesses to provide information. The College normally aims to complete the initial investigation and Discipline Committee decision within 60 days of informing the Respondent of the Concern. However, reasonable delays may be unavoidable, including where the case is complex, the Reporting Person, Respondent or Witnesses are not available to attend meetings, or where the procedure has been suspended for good reason. Respondents and Reporting Persons will be provided with updates from the Senior Tutor via their Tutors where there is a delay.

4 Dean of Discipline Decision

- 4.1 The Dean of Discipline shall produce an Investigation Report, outlining the findings of the investigation. In the case of minor infractions, this will consist of a letter to the Respondent summarising the findings.
- 4.2 The standard of proof used when making determinations under this procedure is *the balance of probabilities*. This standard applies in determining whether a breach of the Rules of Behaviour has occurred, as well the existence of any facts deemed relevant to the determination of any sanctions or measures. The burden of proof rests with the College. In making their own determinations, the Dean of Discipline must be content that they can show that *it is more likely than not that*:
- (a) the Respondent committed a breach of the Rules of Behaviour *and*
 - (b) any facts deemed relevant to the determination of sanctions or measures existed.

Should the case be referred to the Discipline Committee, it is for the Dean of Discipline to show the above two points. The burden is *not* on the Respondent to disprove them. Decisions must be supported by evidence.

- 4.3 Following the investigation, the Dean of Discipline shall reach one of the following decisions:
- (a) To impose a minor sanction or measure where a breach of the Rules of Behaviour has occurred and where it is considered that a minor sanction or measure is appropriate;
 - (b) To refer the case to the Discipline Committee where it appears that a breach of

the Rules of Behaviour may have taken place and a minor sanction or measure may not be an appropriate action;

- (c) Where neither (a) nor (b) is appropriate (including where no breach has, on investigation, been found): (i) to take no further action; (ii) to refer the matter for decision under another procedure.

4.4 In considering whether to impose a minor sanction or measure, or refer the case to the Discipline Committee, the Dean of Discipline shall give consideration to Regulation 3 of the Rules of Behaviour and any guidance in relation to sanctions and measures, as well as the following factors:

(a) The seriousness of the breach, including:

- (i) The harm or damage that the breach risked or caused;
- (ii) The Respondent's degree of fault – particularly as reflected in any intent and planning involved in the breach;

(a) The advantage gained or the advantage that could have been gained by the Respondent as a result of the breach;

(b) The wider impact on the Collegiate University community, including the content of any Impact Statement;

(c) Whether the Respondent has admitted to the breach, when such an admission took place and the circumstances of any such admission;

(d) The frequency with which other credible Concerns about the Respondent have been raised and especially proved;

(e) Whether the Respondent has expressed remorse and/or shown insight into the impact of the breach;

(f) Any other steps taken by the Respondent to rectify or mitigate the harm done, or to demonstrate insight into their behaviour with a view to avoiding future breaches;

(g) The extent to which the Respondent has reasonably cooperated with the investigation through the timely and complete provision of information, particularly where such cooperation has supported the College in maintaining safety;

(h) The evidenced personal circumstances of the Respondent.

4.5 Where the Dean of Discipline decides to impose a minor sanction or measure, one or more of the following sanctions or measures are available:

(a) A written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the Rule of Behaviour more serious;

(b) To require the Respondent to pay the cost of material damages or cleaning charge up to the amount of £300;

(c) To require the Respondent to provide a written apology;

(d) To require the Respondent to engage with an educative or reflective session;

- (e) To require the Respondent to complete a written reflection;
 - (f) To require the Respondent not to contact a Reporting Person or Witness;
 - (g) To require the Respondent to pay a fine of up to £100 to be donated to a College Student Support fund;
 - (h) To restrict the Respondent's access to events, for example Formal Halls, or facilities for a specified period;
 - (i) To require the Respondent to engage with the Reporting Person in a restorative justice process;
 - (j) To remove eligibility for academic scholarships and/or prizes in the academic year of the offence;
 - (k) Any other minor sanction consistent with best practice across the sector and short of requiring the Respondent to go out of residence.
- 4.6 The Dean of Discipline shall provide the decision and the reasons for the decision in writing within 7 days of reaching a decision alongside a copy of the Investigation Report and evidence in line with 1.16-1.19 of this procedure. Where a minor sanction or measure is imposed, the Respondent will have 7 days from receiving the decision to confirm whether to accept this outcome or have the case referred to the Discipline Committee.
- 4.7 The Dean of Discipline shall refer the case to the Discipline Committee for consideration where the Respondent does not agree with the decision to impose a minor sanction or measure; or where the Respondent does not comply with the minor sanction or measure; or where the Dean of Discipline considers that a minor sanction or measure is not appropriate. The Dean may also make a referral of a complex case to a Discipline Committee at any stage in the process, informing all relevant parties of the referral. A Discipline Committee may also be convened to consider an appeal against Precautionary Action under [Section C](#). To refer a case to the Discipline Committee, the Dean must forward to the Senior Tutor and Head of Student Services an Investigation Report summarising the reason for the referral, the nature of the alleged breach, the reasoning behind any decisions made thus far, and a short summary of the relevant evidence. Supporting evidence should also be documented and provided alongside the Report.

5 Discipline Committee consideration

- 5.1 Where the Dean of Discipline refers any case to the Discipline Committee the Senior Tutor and Head of Student Services shall assign a Chair and up to 4 other members to the Discipline Committee from among the members of the Governing Body and, where appropriate, Junior members (ideally Trustees), who are available and have no prior involvement in the case. A representative of the Student Services Office shall act as Secretary to the Discipline Committee, with responsibilities limited to providing administrative support rather than engaging in substantive decision-making on the Committee.

- 5.2 The Discipline Committee shall consist of:
- (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or in relation to student, staff or professional procedures;
 - (b) A Senior Member of College who is or has been a Tutor for not less than three years;
 - (c) Two Senior Members of College from Governing Body. In the case of academic discipline at least one of these members should have not less than three years' experience of acting as a Director of Studies;
 - (d) When appropriate, a member of college *in statu pupillari* of College, normally one who has had trustee training, normally an MCR member for a JCR issue and JCR member for MCR issue.
- 5.3 It is the Chair's responsibility, working with the Secretary and the Committee, to oversee the fair application of this Part (5) of the Discipline Procedure. The Secretary and Chair of the Discipline Committee shall, giving at least 7 working days' notice, organise a Discipline Committee hearing and will communicate the membership of the Committee, and the date, time and location of the hearing to the Discipline Committee members, the Dean of Discipline, the Respondent, their Tutor and the Senior Tutor. The Secretary will also forward the Dean of Discipline's Investigation Report and any relevant evidence to the above individuals. In complex cases and at the discretion of the Chair, the Committee may meet on its own for preliminary purposes in order to make procedural decisions in handling a referred case, before scheduling the Discipline Committee hearing. Should the Committee wish to request further evidence from the Dean of Discipline or the Respondent regarding any matter, it may do so.
- 5.4 Having received the Investigation Report and relevant evidence, the Respondent shall have an opportunity to provide a written response and be invited to attend the Discipline Committee hearing with a supporter and/or representative of their choice. This would often be a Tutor, but another supporter can be chosen. The Respondent may make a request to call a Witness (regarding the Respondent's behaviour or a matter connected to the Respondent's behaviour as alleged in the Concern). Any written response or request to call a Witness from the Respondent must be provided at least 5 working days before the date of the Discipline Committee hearing. A request to call a Witness will be considered by the Chair, who shall determine whether to permit the Witness to attend or provide evidence in an alternative format as outlined at paragraph 5.9. Where the Respondent is dissatisfied with the Chair's decision, the Respondent can appeal this decision following the Discipline Committee's decision on the Concern to the Appeal Committee.
- 5.5 A Respondent who wishes to admit the alleged misconduct in advance of the Discipline Committee hearing may do so as part of the written response, in which case the hearing may focus only on what, if any, sanction or measure to apply. In shaping any written response, Respondents should take note of the points listed at

paragraph 4.4 and particularly points (d), (f), (g) and (i).

- 5.6 Respondents should attend the Discipline Committee hearing in person, where possible. However, where this is impractical, for example, where the Respondent is in another country, the Respondent may attend by video link. If the Respondent is unable to attend the Discipline Committee hearing and wishes to do so, it shall be at the Chair's discretion as to whether the Respondent has provided a sufficient reason for absence, in which case the hearing date should be re-arranged. The Discipline Committee hearing may proceed in the Respondent's absence.
- 5.7 The Discipline Committee, the Respondent(s) and the Dean of Discipline shall receive an agenda for the hearing written by the Chair and any response provided by the Respondent(s), at least 2 days before the Discipline Committee hearing.
- 5.8 During the Discipline Committee hearing, there shall be the opportunity for the Committee members to ask questions of the Dean of Discipline and, if in attendance, the Respondent. The Respondent (or the Respondent's representative) and the Dean of Discipline will also have the opportunity to ask questions of each other. The Respondent shall have the opportunity to make a final statement.
- 5.9 It will not normally be necessary for the Reporting Person(s) and/or Witness(es) to attend the hearing as their evidence will be provided alongside the Dean of Discipline's Investigation Report. Where the Respondent wishes to challenge the evidence of a Reporting Person or a Witness, the Chair of the Discipline Committee will determine the most appropriate format for this. Appropriate formats may include the Reporting Person or Witness attending the Discipline Committee hearing in person or by video link, or questions being directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges and, where the Chair of the Discipline Committee considers those challenges material to the Discipline Committee's decision, a further written response will be sought from the Reporting Person or Witness. The Discipline Committee may pause the hearing to request further information where the Chair deems it appropriate to do so.
- 5.10 In some complex cases, it may be preferable for a Working Group (usually consisting of the Chair and a member of the Committee who is or has been a Tutor) to offer to meet separately with students involved in the case to reduce the stress on the student members. This Working Group will report back to the wider Committee at the hearing, the student always having the option of requesting to talk with the full committee.
- 5.11 Once the Discipline Committee is satisfied that it has received all of the information it needs, all persons except for the members, Secretary and note-taker (the Secretary would normally act as note-taker) of the Discipline Committee shall withdraw from the hearing.
- 5.12 The Discipline Committee shall consider all the information that has been provided and reach one of the following decisions:
 - (a) To dismiss the case;

- (b) To find that there has been a breach of the Rules of Behaviour.
- 5.13 Where the Discipline Committee has found that the Rules of Behaviour have been breached, the Secretary shall inform the Discipline Committee of any previous breaches of the same Rule. The Respondent (and any supporter or representative) and the Dean of Discipline will be invited back into the hearing and the Respondent (or the Respondent's representative) will have an opportunity to make a further statement in relation to mitigation regarding the breach of the Rules of Behaviour and any previous breaches of Rules of Behaviour, taking note of the points listed at paragraph 4.4. The Dean of Discipline may provide further information, including in relation to any wider impact of the breach, and the Committee may ask questions. The Respondent (or the Respondent's representative) shall have the opportunity to make a final statement.
- 5.14 The Discipline Committee will then consider whether a sanction or measure should be imposed. Consideration shall be given to the factors outlined in Regulation 3 of the Rules of Behaviour and paragraph 4.4 of this procedure. The Discipline Committee can consider whether a minor sanction or measure, as outlined in paragraph 4.5, should be imposed. Where a minor sanction or measure is not considered to be appropriate, the Discipline Committee can choose from the following further sanctions and measures:
- (a) Permanent or temporary exclusion from membership of the College;
 - (b) Substantial restrictions or conditions on the right to use College premises, facilities or services;
 - (c) Permanent or temporary exclusion from eligibility for academic scholarships and prizes;
 - (d) Any penalty considered by the Discipline Committee to be lighter.
- 5.15 In deciding upon the appropriate sanction(s) or measure(s), the Discipline Committee shall consider each sanction or measure in turn and record the reasons for the sanctions or measures imposed.
- 5.16 The Secretary of the Discipline Committee, within 7 days of the Discipline Committee reaching a decision, shall provide to the Respondent a written document explaining the Discipline Committee's decision, reasons for the decision, any sanction or measure applied and the right of appeal. The notes of the Discipline Committee hearing will be shared with the Respondent within 14 days of the Discipline Committee hearing. The outcome will be shared with others in line with 1.16-1.19 of this procedure.
- 5.17 Where a Respondent subsequently fails to comply with any sanctions or measures imposed by the Discipline Committee, the Respondent will be subject to any action specified by the Discipline Committee to be imposed in this circumstance; or, where other action has not been specified, further disciplinary action may be taken under Regulation 1(a) of the Rules of Behaviour.

6 The Appeal Committee

- 6.1 The Respondent shall have the right to appeal the decision of the Discipline Committee within 7 days of receiving the written decision. If they do not do so, the Procedure is complete. Secretary to Council shall act as Secretary to the Appeal Committee. The Secretary to the Appeal Committee has the authority to extend the appeal deadline, where there is a compelling reason to do so.
- 6.2 An appeal can be submitted on the following grounds, that:
- (a) The procedures were not followed properly;
 - (b) The Discipline Committee reached an unreasonable decision;
 - (c) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
 - (d) There is bias or reasonable perception of bias during the procedure;
 - (e) The penalty imposed was disproportionate, or not permitted under the procedures.
- 6.3 In order to appeal the Discipline Committee's decision, the Respondent will need to complete and submit an appeal to the Secretary of the Appeal Committee, which includes all evidence the Respondent wishes to be considered as part of the appeal, within 7 days of receiving the decision.
- 6.4 If the appeal has been made on the specified grounds and within the timeframe, as determined by the Secretary of the Appeal Committee, the Secretary shall assign by lot the Chair of the Appeal Committee from among the members of the Student Appeals Panel appointed by Council who are available and have not have prior involvement in the case.
- 6.5 The Appeal Committee shall consist of
- (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or in relation to student, staff or professional procedures;
 - (b) A member of Governing Body;
 - (c) Where appropriate, a Member of college *in statu pupillari* of College, normally one who has had trustee training, normally an MCR member for a JCR issue and JCR member for MCR issue.
- 6.6 The Secretary of the Appeal Committee shall organise a meeting of the Appeal Committee either physically or virtually and communicate the date, time and location for the meeting to members of the Committee. The Respondent will be informed of the members of the Appeal Committee.
- 6.7 The Appeal Committee shall receive the Respondent's Appeal Form and evidence, the Discipline Committee outcome, the notes of the Discipline Committee and the material considered by the Discipline Committee at least 2 days before the Appeal Committee meeting.

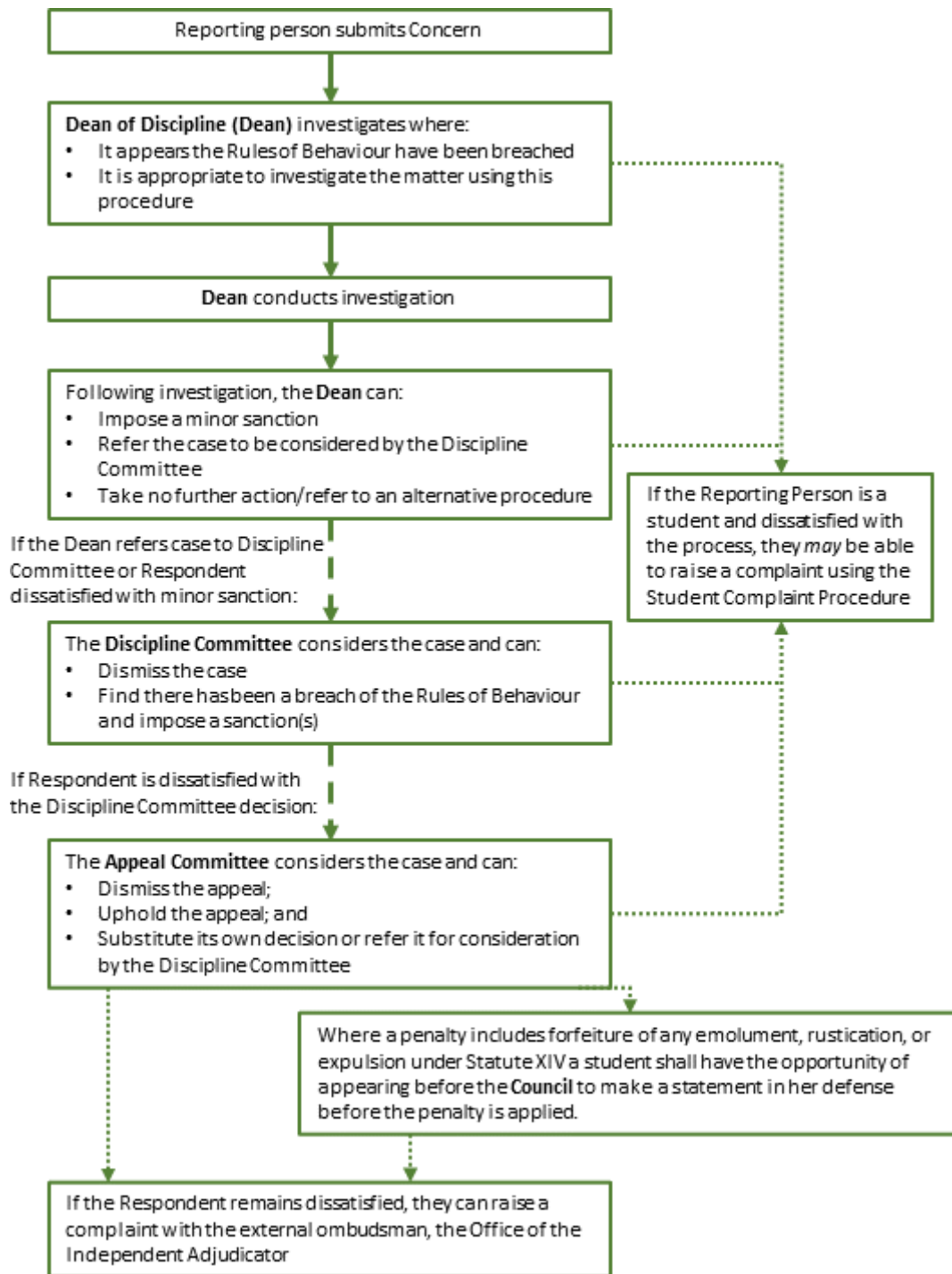
- 6.8 The Appeal Committee shall normally consider an appeal in private based on the written materials, but has the discretion to request further information; where this happens, the Respondent shall be sent a copy of any further information and be given an opportunity to provide a written response.
- 6.9 The Appeal Committee shall consider all the information that has been provided and reach one of the following decisions:
- (a) To dismiss the appeal;
 - (b) To uphold the appeal.
- 6.10 Where the Appeal Committee has upheld an appeal, it can choose to send the matter back for re-consideration by a Discipline Committee, or alternatively it has the power to impose its own decision, including sanctions or measures. Where the Appeal Committee considers a breach of the Rules of Behaviour has taken place, it can impose any sanction or measure outlined in paragraphs 4.5 and 5.13 of this procedure, including more or less significant sanctions or measures than were imposed by the Discipline Committee for the same breach.
- 6.11 The Secretary of the Appeal Committee, within 7 days of the Appeal Committee reaching a decision, shall provide to the Respondent a written copy of the Appeal Committee's decision, reasons for the decision, and any substituted decision. This is the final stage of the internal process and therefore the Respondent will be issued with a Completion of Procedures letter.
- 6.12 Where the Discipline Committee has imposed a sanction or measure and the Respondent has appealed, the sanction or measure will not normally be implemented while the appeal is being considered. Following the Appeal Committee's decision, any sanctions or measures shall be implemented, even if the Respondent intends to raise a complaint with an external body.
- 6.13 Where a Respondent subsequently fails to comply with any sanctions or measures imposed by the Appeal Committee, the Respondent will be subject to any action specified by the Appeal Committee to be imposed in this circumstance; or, where other action has not been specified, further disciplinary action may be taken under Regulation I(a) of the Rules of Behaviour.
- 6.14 The decision of the Appeal Committee is final and completes the procedure.

7 Reporting and Monitoring

- 7.1 The College shall monitor all Concerns reported made using this procedure and shall produce an annual report summarizing the anonymised decisions made by the Dean of Discipline, the Discipline Committee and the Appeal Committee. The annual report shall be submitted to College Council.
- 7.2 The purpose of this monitoring shall be to ensure that decisions are made consistently and at the appropriate level; that appropriate action is taken on issues identified and that information gathered is used to improve guidance and support for students and staff involved in the procedure.

- 7.3 This policy will be accompanied by guidelines for respondents and reporting students as to where to get help and support.

Flow chart of the College Student Discipline Procedure



E. Harassment, Bullying and Discrimination Policy

Girton College guidance on and procedures for handling cases of harassment, bullying or discrimination raised by one student (or students) about another student (or students)

At its meeting on 29 July 2019, Council agreed that all complaints of sexual misconduct would normally be referred to OSCCA. Details are given below under “Sexual Misconduct Policy”.

I Introduction

- 1.1. Girton College has adopted the University’s Code of Conduct in respect of harassment and sexual misconduct ([Section B](#)) and affirms its commitment to providing an environment that is free from harassment and discrimination, and the right of all members to be treated with dignity and respect.
- 1.2. The College will treat any allegation of harassment or bullying of, or discrimination against, a student by another student seriously, and the Code of Conduct and procedures described here apply to all students.
- 1.3. Students are expected to take responsibility for their own conduct: the fact that a student against whom an allegation has been made was under the influence of alcohol or drugs at the time will not be viewed as mitigating the case.
- 1.4. If students believe that they have been subject to harassment, bullying or discrimination by another student, they can do any or all of the following:
 - [seek advice, guidance and support](#);
 - seek alternative resolution through a reconciliatory approach;
 - raise a complaint with the College, or with the University where students from other Colleges are involved.

Information sharing and communications

- 1.5. Both the Reporting Student and the Respondent will be advised to think carefully about what information they disclose to others at all stages of seeking resolution of the matter, and will be given a copy of the College’s policy on the use of personal information. Students should ensure that they are aware of the limits that may be applied to the principle of confidentiality, including how any information they provide might be used at later stages of the procedure if the case is escalated to more formal, including disciplinary, procedures, or if it is reported to the Police.
- 1.6. [Appendix I](#) sets out the College’s policy on the use of personal information under this procedure. A copy of the policy will normally be provided to Reporting Persons, Respondents and witnesses to events relating to the complaint so that they understand how their personal information will be used and the limits on confidentiality. The policy indicates the College and University officers with whom the information is likely to be shared.
- 1.7. The Complainant and Respondent will be made aware that the College may be required to provide as evidence in any subsequent criminal investigation or

proceedings in a court of law information regarding the complaint, including any admission made in the course of this procedure (and/or any made during mediation or any subsequent disciplinary proceedings) and that any admission made in the course of this procedure may also be used as evidence in College disciplinary proceedings, save that the College will abide by the confidentiality of any mediation, and anything which is said in the course of mediation will not be used in evidence in any College disciplinary proceedings.

Scope of this procedure

- 1.8. Where an incident of harassment, bullying or discrimination includes an element of sexual misconduct, it will normally be dealt with via the University procedures as for all incidents of sexual misconduct.
- 1.9. This procedure applies where a student wishes to complain that the behaviour of another student contravenes the College's Code of Conduct. It outlines the Procedure for Alternative Resolution of such complaints and the use of the Student Discipline Procedure in the case of Harassment, Bullying and Discrimination.
- 1.10. Girton College has a general Student Complaints Procedure under which a student may raise other types of complaint, including a complaint about the College experience or about a member of College staff.
- 1.11. Because this procedure for consideration of cases of student-on-student harassment and bullying places an emphasis on reaching consensual resolution, complaints made by a third party and anonymous complaints will not normally be accepted. College Tutors and others may wish to discuss alternatives to the use of this procedure with the Senior Tutor.
- 1.12. It is possible for a complaint under this procedure to be brought by or against two or more Girton College students where the complaint is about harassment or bullying arising from the same event(s). In such cases, references in this procedure to the 'Reporting Person' or the 'Respondent' shall be construed as appropriate as referring to more than one person.
- 1.13. A complaint of harassment, bullying or discrimination may be brought under this procedure whether or not it has been reported to the Police. The College will not normally investigate complaints that have already been investigated under the University Procedure.
- 1.14. No inferences shall be drawn from the Reporting Person's choice of avenue to pursue the complaint, be it via internal procedures or the Police.
- 1.15. Complaints of discrimination against a student or group of students by another will usually be referred to the Student Discipline Procedure.
- 1.16. It is the expectation of the College and the University that the [University procedure](#) will be used where:

- (a) the complaint relates to conduct occurring in the context of University societies or sports clubs; or
- (b) the Respondents include students from Girton College and another College.

1.17 The College will provide pastoral support, as desired, to any Girton College student involved in the University procedure, whether as a Reporting Person or as a Respondent, having a duty of care to all parties.

General principles

- 1.18. Any reference in this procedure to a College Officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.
- 1.19. The College will act reasonably in considering complaints under this procedure and the Student Discipline Procedure, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity.
- 1.20. The time limits set out in this procedure may be varied by the Senior Tutor for good reason, after consultation with the Reporting Person and the Respondent as appropriate.
- 1.21. A written decision issued in accordance with this procedure shall also include the reasons for that decision.
- 1.22. The Senior Tutor may suspend the consideration of a complaint at any stage of this procedure and/or refer the matter for consideration under another procedure (such as the Student Discipline Procedure), after consultation with the Reporting Person and the Respondent as appropriate.
- 1.23. The Senior Tutor has the power to take precautionary action, where it is felt necessary, either to protect an investigation or to protect individuals (see [Section C](#)). Should this be necessary, the complaint will be referred straight to the Student Discipline Procedure.
- 1.24. In exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant ongoing risk to members of the College or University community, or the wider community, the Senior Tutor may make an executive decision to refer the matter to the Police. The Senior Tutor will, in all but exceptional circumstances, inform the Reporting Person of their intention to report the matter to the Police, and their reasons, before doing so.
- 1.25. Where the events which are the subject of a complaint have been reported to the Police, the Senior Tutor will normally suspend the Student Discipline Procedure pending the outcome of any police investigation and/or criminal proceedings.

- 1.26. The Reporting Person may withdraw a complaint at any time during this procedure, by notifying the Senior Tutor in writing. Where a complaint is withdrawn no further action will be taken under this procedure, but the Senior Tutor may refer the matter for consideration under another College procedure, including the Student Discipline Procedure (which is between the responding student and the College).

2 Support and guidance

- 2.1 The Senior Tutor will provide advice at the outset to help both Reporting Persons and Respondents to understand this procedure and the Student Discipline Procedure if needed.
- 2.2 Students who believe they have been harassed, bullied or discriminated against are advised to seek support from the College and/or from the University. Students can [seek advice](#) from their College Tutor or another point of contact within the College.
- 2.3 Students may also seek independent support and information from the [Cambridge University Student Advice Service \(SAS\)](#).
- 2.4 If, at any stage, Reporting Persons feel that they are being disadvantaged or suffering reprisal from any member of the College, including the person they have made a complaint about, as a result of complaining about harassment or bullying, they should [seek advice and guidance](#) from the Senior Tutor, their Tutor or one of the College Discrimination and Harassment Contacts.
- 2.5 Reporting Persons, Respondents and Witnesses are entitled to be accompanied by a supporter at any meeting or hearing held under this procedure. A supporter may be a Tutor, a student representative or a friend. Reporting Persons and Respondents will be permitted to be accompanied by a legal representative at such meetings or hearings, though this is not usually necessary.
- 2.6 First contact with possible student witnesses at another College will normally be made via their Senior Tutor.

3 Reconciliatory Approaches

- 3.1 There is no requirement that an attempt at reconciliatory resolution has been made before a formal complaint is raised, but it may be quicker and less traumatic for the harmed individual than the formal process. Students should discuss with the Senior Tutor, the Head of Welfare and Wellbeing or other College Discrimination and Harassment Contacts if they prefer to make a formal complaint without attempting a reconciliatory resolution. Students are encouraged to involve their College Tutor in these discussions. Once a decision has been made, the process should then be initiated by consultation with the Senior Tutor.

Restorative justice approaches

- 3.2 College is committed to creating an environment for reconciliation where it is appropriate and to building trust in its reporting mechanisms and reconciliation

processes. Reporting Persons are supported to engage with a process of reconciliation using a restorative approach. This does not require both students to be in a room together (though that may be an option). It involves a trained facilitator helping the students to reach an agreement about restorative actions that would resolve the complaint. This process involves the Responding student accepting that they have caused harm, whether intentionally or not, and taking action to resolve the situation. Whether a restorative process is appropriate is the decision of a reporting person. College will never pressure a reporting student to engage with a respondent in restorative justice.

- 3.3 Restorative approaches are not the same as mediation because they involve the recognition of harm and some attempt at restitution, agreed by both parties through deepened understanding. Restorative approaches seek to enhance learning and depth of relationship. They are intended to inform the broader culture of a community. The Senior Tutor will meet with the Reporting Person and their Tutor to explain the procedure and gain their agreement to take part. They will then meet with the responding student and inform them of the procedure. If either student does not agree, the Senior Tutor will decide whether or not the case should be referred to the Student Discipline Procedure.
- 3.4 The Senior Tutor will appoint a trained facilitator to oversee the procedure.
- 3.5 The facilitator will discuss with the Senior Tutor, the students and their Tutors whether to call a meeting of both parties or to deal with each individually.
- 3.6 The facilitator will conduct the meetings and identify the measures that could be taken to reconcile the complaint. These will be discussed with the students and a short report will be produced. Students should be encouraged to try to describe the behaviour very precisely, including where and when it happened. Students should also make it clear how they feel about what has happened and describe the effect it is having on them. Finally, they should be encouraged to say precisely what they want to happen going forward.
- 3.7 The facilitator will produce a short report summarising the agreed measures and recommending an outcome.

Behavioural Agreement

- 3.8 In some cases, the Reporting Person may be content with a behavioural agreement that does not require the in-depth approach of restorative justice. In this case, the facilitator will help to draw up an agreement that does not involve any admission of harm by the Respondent but that requires them to agree to certain mitigating actions.
- 3.9 A behavioural agreement shall consist of an agreement between the two students. The facilitator will meet individually with the Reporting Person to establish what the terms of the agreement might be, and then meet with the Respondent to discuss them. They will then draw up an agreement. This might involve, for example, agreement to attend Formal Hall on different days; to not sit in the same area of the

Library or Social Hub; to avoid facilities at certain times.

Outcomes of reconciliatory approaches

- 3.10 The students will be asked to confirm in writing that they agree with the outcomes of the meeting (whether restorative or a behavioural agreement) within a week of the report. If either student does not agree, then the Senior Tutor will decide whether to refer the case to the Student Discipline Procedure.
- 3.11 A Breach of either type of resolution will lead to referral to the Student Discipline Procedure.
- 3.12 A record of any behavioural or conduct agreement will be retained by the College and may be taken into account if a further complaint is made against the Respondent under this procedure, whether that subsequent complaint is made by the original Reporting Student or a different Reporting Student.
- 3.13 Reconciliatory approaches may not be appropriate for some complaints of harassment and bullying because the relationship between the parties has irretrievably broken down. In such cases, the complaint will be considered in accordance with the Student Discipline Procedure as outlined below.

4 Formal Complaints

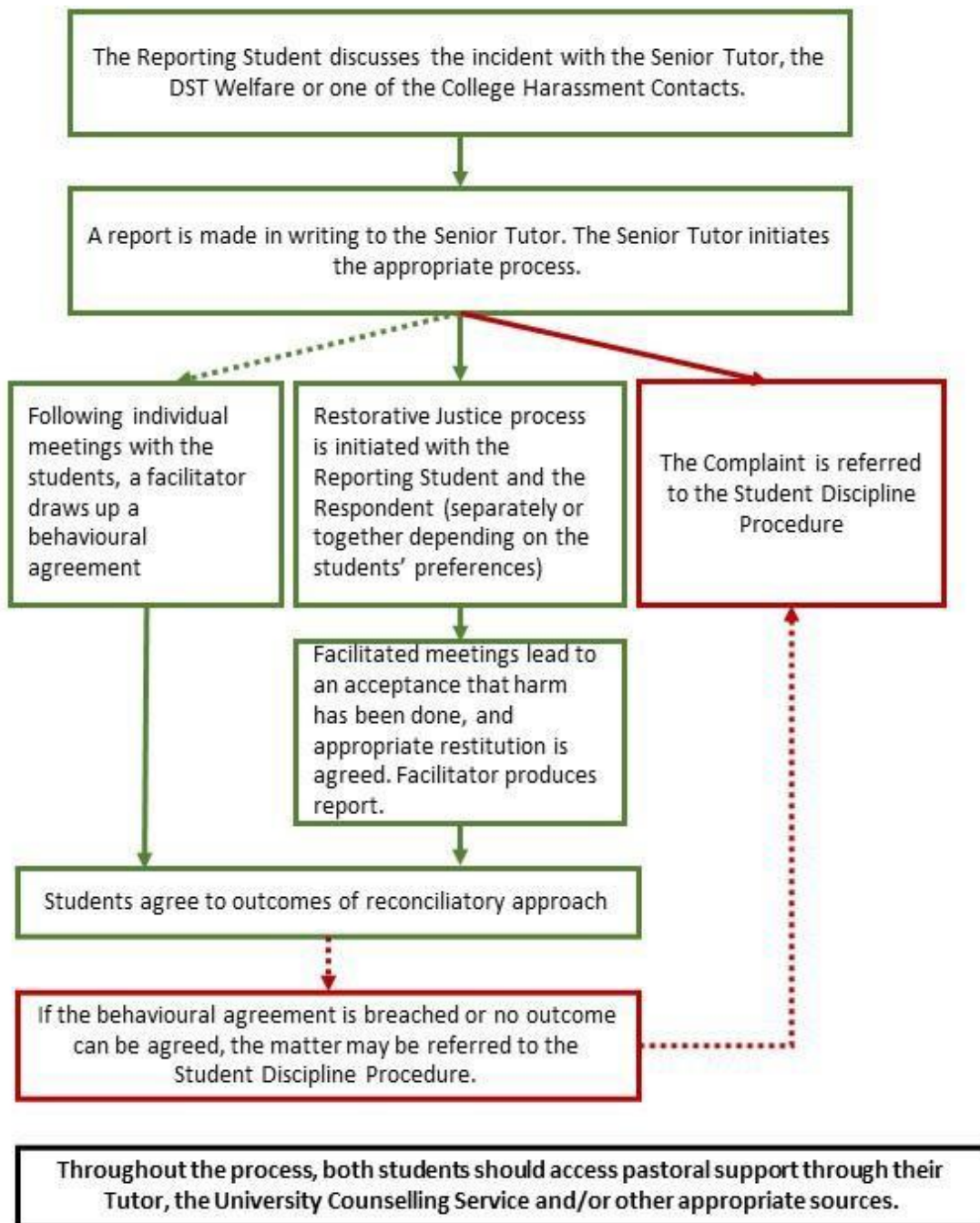
- 4.1 Complaints about harassment and bullying involving two Girton students will be dealt with under the [College Student Discipline Procedure](#). Students wishing to make a complaint should discuss their intentions with their Tutor, the Head of Welfare and Wellbeing or one of the College Discrimination and Harassment Contacts in the first instance to ensure that they are receiving support. The Senior Tutor will lead the use of the Procedure.
- 4.2 If a complaint occurred in the previous academic year to the time of reporting, or earlier, it may not be possible to investigate it. The Senior Tutor, in consultation with the Dean of Discipline and other relevant Officers, will make a decision about this.
- 4.3 Bringing a complaint under the College's procedure does not prevent the Reporting Person from reporting the matter to the Police at any time. If the matter is being dealt with under the criminal process, the College will normally suspend any action under its procedure, but may take precautionary action under the relevant policy ([Section C](#)) to ensure that a full and proper investigation can be carried out and/or to protect the Reporting Person, Respondent or others while the matter is being dealt with.
- 4.4 A student who wishes to make a complaint under this procedure must do so in writing. The Reporting Person should set out details of the complaint together with details of any attempts at reconciliatory resolution under paragraph 3 above, if appropriate.

- 4.5 The complaint should be addressed to the Senior Tutor, setting out details of the events that form the basis of the complaint, together with any evidence and, if appropriate, information on any attempts that have been made to resolve the matter informally. The details of the complaint should include time, date, location, name of the respondent and any potential witness, and a short description of the issue.
- 4.6 On receipt of the complaint the Senior Tutor will give the case initial consideration and determine whether to:
- (a) refer the complaint immediately for investigation under the Student Discipline Procedure;
 - (b) recommend to the Reporting Person that they should seek reconciliation of the complaint through a restorative approach;
 - (c) decline to refer the complaint for investigation under the Student Discipline Procedure and recommend to the Reporting Person that they should raise it under the University formal procedure (this may be appropriate where the complaint refers to behaviour that is potentially criminal or for cases of discrimination);
 - (d) dismiss the complaint because it is considered to be without merit, or, in exceptional cases, as vexatious, frivolous or malicious;
 - (e) reject the complaint because it does not fall within the scope of this procedure;
 - (f) decline to refer the complaint for investigation under this procedure for other reasons.
- 4.7 The Senior Tutor will notify the Reporting Person in writing of the outcome of this initial consideration, normally within 14 days. In the event that the outcome of this initial consideration falls within paragraph 4.6 (b)–(f) and the Reporting Person is unhappy with that decision, the Reporting Person shall have the right to request a review of that decision by appealing via the Student Complaints Procedure. As stated in the Procedure, the initial stage should be an appeal in writing to the Senior Tutor requesting a Review and discussion.
- 4.8 If the complaint is dismissed, the Complainant and the Respondent involved will be offered help and guidance to restore reasonable relations between them. This process might include the methods in Paragraph 3 of this procedure.

5 Reporting

- 5.1 An annual report of complaints considered under this procedure will be made to the College Council in which references to individual cases will be made anonymously.
- 5.2 The Senior Tutor will be responsible for the regular review of this procedure.

College Harassment, Bullying and Discrimination Policy Flowchart



F. Girton College Sexual Misconduct Policy

Guidance on and procedures for handling cases of sexual misconduct raised by one student (or students) about another student (or students): the following guidance and procedures have been designed to work alongside the University procedure for handling cases of harassment and sexual misconduct: www.studentcomplaints.admin.cam.ac.uk/harassment-and-sexual-misconduct.

The College has a separate complaints procedure under which students can raise complaints about College academic and non-academic provision.

1. Girton College has adopted the University's Code of Conduct in respect of Harassment and Sexual Misconduct (Section B) and affirms its commitment to providing an environment that is free from harassment and discrimination, and the right of all members to be treated with dignity and respect.
2. The College will treat any allegation of sexual misconduct of a student by another student seriously, and the Code of Conduct²³ and procedures described here apply to all students.
3. Students are expected to take responsibility for their own conduct: the fact that a student against whom an allegation has been made was under the influence of alcohol or drugs at the time will not be viewed as mitigating the case.
4. Sexual misconduct is defined as any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments. Sexual harassment is included in this policy and consists of making sexually offensive comments about dress or appearance, the display or distribution of sexually explicit material, or demands for sexual favours. Harassment may be in person or online.
5. If students believe that they have been subject to sexual misconduct by another student, they can do any or all of the following:
 - seek advice, guidance and support;
 - seek alternative resolution through the University procedures;
 - raise a formal complaint which will be referred to the University's procedures.
6. The Senior Tutor has the power to impose Precautionary Action under Section C in cases of alleged sexual misconduct that is reported to the University as described below. Precautionary Action without a report to OSCCA will be reviewed within 14 days.

²³ This refers to the College's Code of Conduct with respect to Harassment and Sexual Misconduct (Section B).

Advice, guidance and support

7. Students who believe they have been the subject of sexual misconduct are advised to seek support from the College and/or from the University. Students can [seek advice](#) from their College Tutor, one of the College Harassment and Discrimination Contacts or another point of contact within the College.
8. The University has appointed a specialist team to provide confidential advice to students who have been the subject of sexual misconduct. Information can be found [here](#).
9. Students may also seek independent support and information from the [Cambridge University Student Advice Service \(SAS\)](#).
10. Sexual assault and rape are criminal offences, and Reporting Persons will be supported to come to an informed decision as to whether to report such an incident to the Police. However, if the Reporting Person decides not to report the incident to the Police, neither the College nor the University will require them to do so. No inferences will be drawn from the Reporting Person's decision not to report the incident to the Police.
11. In exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant ongoing risk to members of the College or University community, or the wider community, the Senior Tutor may make an executive decision to refer the matter to the Police. The Senior Tutor will, in all but exceptional circumstances, inform the Reporting Person of their intention to report the matter to the Police, and their reasons, before doing so.
12. If, at any stage, Reporting Persons feel that they are being disadvantaged or suffering reprisal from any member of the College, including the person they have made a complaint about, as a result of complaining about harassment or sexual misconduct, they should seek advice and guidance from the Senior Tutor, College Tutor or one of the College Discrimination and Harassment Contacts.
13. Additional information about the support available and what to do in an emergency can be found on the Welfare & support section of the College website at: [Welfare & support | Girton College \(cam.ac.uk\)](#).

How to make a complaint about sexual misconduct to the University

14. Students are advised to discuss their options for making a complaint with the Head of Welfare and Wellbeing, the Senior Tutor or one of the College Discrimination and Harassment Contacts. Students are encouraged to involve their College Tutor or another supporter in these discussions. The College has documents to help with this

decision, available on the College website.

15. The University procedure and guidance documents describe how the Reporting Person's complaint will be considered, and the possible outcomes. The Head of the University's Office for Student Conduct, Complaints and Appeals (OSCCA) will be able to answer any specific questions students or staff might have about the procedure and will endeavour to ensure that the students understand the procedure at each stage. OSCCA can be contacted on OSCCA@admin.cam.ac.uk.
16. The University offers both an alternative resolution between the Reporting Person and the Respondent in the form of a behavioural agreement, and a formal disciplinary investigation.
17. Complaints should be referred to OSCCA via their [website](#).
18. Should OSCCA refer an incident back to College, it will be dealt with under the Student Discipline Procedure or the Harassment Procedure as appropriate.

Links TO ADVICE DOCUMENTS

[published_informal_complaint_procedure.pdf \(cam.ac.uk\)](#)

[Report inappropriate behaviour of other students or staff | Student Complaints \(cam.ac.uk\)](#)

Appendix I: Policy on the use of personal information in Student Disciplinary Procedures

A copy is to be provided to the Reporting Person, the Respondent and any witnesses at the earliest contact.

Girton College has published a general statement which explains how it uses students' personal information. The link to the Data Protection Policy can be found at: [Data Protection | Girton College \(cam.ac.uk\)](https://www.cam.ac.uk/data-protection). The Data Protection statement for students is on the following page: [2023MayDataProtectionStatementCurrentStudentsv1.1.pdf \(cam.ac.uk\)](https://www.cam.ac.uk/data-protection/2023MayDataProtectionStatementCurrentStudentsv1.1.pdf).

This statement provides information about how the College will use your personal information if you are a Reporting Person or a Respondent or a Witness in a case considered under the procedure for handling cases of student harassment and sexual misconduct. Most of the information is already covered by the general statement, but there are some additional uses of personal data that need to be brought to your attention.

1. A summary of the information you provide as part of your complaint or response to a complaint or as witness testimony and procedural notes (e.g. a record of any actions and decisions and the dates they were taken; the dates of meetings) will be stored in a computer database which can be accessed by staff in the Student Services Office. This data will be used to compile anonymous statistics about the use of the procedure. Those involved in the case may also make notes at meetings with you; you will be given an opportunity to comment on a written-up copy of those notes so that they can become an agreed part of the record. The information held by the Senior Tutor may be shared with others in the course of dealing with the complaint, and will be treated confidentially in line with the College's general statement on use of personal information.
2. In the interest of fairness to all parties, the College will not normally accept an anonymous complaint under this procedure. It should be assumed that any information provided in support of the complaint, including the identity of the Reporting Person, will be provided to the Respondent. If you have concerns about the sharing of information between the Reporting Person and Respondent, you should seek advice from the Senior Tutor who has discretion to withhold information in exceptional circumstances.
3. The Senior Tutor and Tutor of either the Reporting Person or the Respondent will normally be provided with a summary of the complaint, including the names of both parties, so that they are aware of the complaint and able to assist in providing support:
In some cases, it may also be deemed appropriate to inform the following:
 - the students' Head of Department or Faculty;
 - the students' Supervisor (if they are a research student).

The College will aim to seek consent for sharing information with those listed above, but in exceptional cases may decide that such sharing of information is necessary, for example,

because it is in the public interest or to protect the interests of the Reporting Person or the Respondent. These decisions will be taken on a case-by-case basis, bearing in mind all the circumstances of the particular case. You will be informed of our intention to share the information and the reasons before doing so.

If a complaint is referred for investigation under the procedure, the College will seek your permission for the release of your personal information as included in the Investigator's report before providing a copy of the report to the Reporting Person and the Respondent.

4. The College will normally respect the wishes of a person who is the victim of a crime and does not wish to report the matter to the Police. However, in exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant risk to members of the community, the Senior Tutor may make an executive decision to refer the matter to the Police. Unless there are exceptional reasons related to the case, the Reporting Person will be informed of the intention to report the matter to the Police and the reasons before doing so.
5. Any admission made in the course of this procedure (including any made in an agreement reached during mediation or during subsequent disciplinary proceedings) may be used as evidence in any subsequent proceedings in a court of law.
6. Any admission made in the course of this procedure may also be used as evidence in College disciplinary proceedings, but the College will abide by the confidentiality of a mediation agreement and will not seek to use it in evidence.
7. If you have any questions or concerns about this statement, please contact the Senior Tutor in the first instance.

Appendix 2: Glossary

Academic misconduct	<p>‘Academic misconduct’ is gaining or attempting to gain, or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research. It includes being in possession of unauthorised materials or electronic devices during an examination, including recording or communication devices or devices that can store data, even where the Registered Student is unaware that such materials or devices are unauthorised, has no intention of using them, or is unaware that they have them in their possession. Academic misconduct also includes:</p> <ul style="list-style-type: none">(a) Plagiarism: using someone else’s ideas, words, data, or other material produced by them without acknowledgement;(b) Self-plagiarism: using the Registered Student’s own ideas, words, data or other material produced by them and submitted for formal assessment at this University or another institution, or for publication elsewhere, without acknowledgement, unless expressly permitted by the assessment;(c) Contract cheating: contracting a third party to provide work, which is then used or submitted as part of a formal assessment as though it is the Registered Student’s own work;(d) Collusion: working with others and using the ideas or words of this joint work without acknowledgment, as though it is the Registered Student’s own work, or allowing others to use the ideas or words of joint work without acknowledgment;(e) Impersonating someone or being impersonated in an examination or arranging for someone to impersonate someone else by sitting their examination;(f) Fabrication, falsification or misrepresentation of data, results or other outputs or aspects of research, including documentation and participant consent, or presenting or recording such data, etc, as if they were real; or(g) Failure to meet legal, ethical and professional obligations in carrying out research. This includes failure to follow agreed protocol if this failure results in unreasonable risk or harm to humans, other sentient beings or the environment, and facilitating of misconduct in research by collusion in, or concealment of, such actions by others. It includes any plan or conspiracy to attempt to do any of these things.
Bullying	<p>May be physical or psychological in nature, and involve intimidating, hostile, degrading, humiliating or offensive behaviour which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, or humiliating environment. Bullying usually involves a repeated course of conduct. Bullying does not need to relate to a protected characteristic.</p>
Completion of Procedures letter	<p>A letter that confirms the completion of the College’s internal procedures, following which a student may be able to raise a complaint with the Office of the Independent Adjudicator.</p>

Concern	A complaint that has been referred to the Student Discipline Policy.
Dean of Discipline (referred to as the Dean for Student Discipline in College Ordinances)	A person with responsibility for determining whether a Concern should be investigated, conducting any investigation or delegating a complex investigation where appropriate and determining the action taken following the investigation. The Dean may also make referrals to a Discipline Committee and undertake other work relevant to the Student Discipline Procedure.
Decision Maker	The Dean of Discipline or any member of the Discipline Committee or Appeals Committee as defined in the Student Discipline Policy.
Discrimination	Takes place when an individual or group are treated less favourably than others as a result of a protected characteristic.
Harassment	A course of unwanted behaviour which makes a person feel offended, intimidated or humiliated. It can include repeated attempts to impose unwanted communications that lead to an individual experiencing distress. Harassment that is related to a protected characteristic is unlawful in civil law under the 2010 Equality Act. Sexual harassment may become a criminal act where it occurs multiple times and may constitute stalking.
Impact Statement	A written statement from a Reporting Person or Witness that describes the personal impact of an alleged breach of the Rules of Behaviour.
Investigator	The Dean of Discipline or deputy nominated to investigate a Concern raised under the Student Discipline Policy.
Physical Misconduct	Any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.
Protected characteristics (under 2010 Equality Act)	Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity.
Relevant unspent criminal conviction	A 'relevant' unspent criminal conviction includes a conviction for the following: <ul style="list-style-type: none"> (a) Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which result in at least actual bodily harm. (b) Sexual offences, including those listed in the Sexual Offences Act 2003. (c) The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences). (d) Offences involving firearms. (e) Offences involving arson. (f) Offences involving terrorism. (g) If a student was convicted outside the United Kingdom for the type of offence listed above, this is also considered a relevant conviction.

For the purposes of this definition, out of court disposals are considered to be convictions. Penalty notices for disorder (PNDs), anti-social behaviour orders (ASBOs) or other orders are not considered to be convictions, unless contesting a PND or breaching the terms of an ASBO or other order has resulted in a criminal conviction. Whether or not an offence is considered 'spent' is defined by the Rehabilitation of Offenders Act 1974 and subsequent revisions to the Act.

Reporting Person	A student who has made a complaint of harassment, bullying, discrimination or sexual misconduct occurring against themselves; or anyone (whether a student or not) who has submitted a report of another kind of breach of the rules of behaviour.
Respondent	A student whose conduct is the subject of a complaint or concern under a policy in this document.
Sexual Misconduct	Any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments. Sexual harassment is treated as part of sexual misconduct for the purposes of these policies.
Student	Members of college <i>in statu pupillari</i> of the College (a matriculated student following a course leading to the award of a degree, diploma, or certificate of the University, ie all JCR and MCR members of College).
Witness	A person who has witnessed the Respondent's behaviour or has witnessed a matter connected to the Respondent's behaviour as alleged in the Concern. The Witness may be someone to whom the behaviour was directed, or a third party.
Working day	Any day except weekends, public holidays and any other day when the University Offices are closed.

Appendix 3: Accessing help and support

Porters Lodge: 01223 338999 24hours a day

Senior Tutor senior.tutor@girton.cam.ac.uk

College Tutor

College Nurses: 01223 338937 nurses@girton.cam.ac.uk and bookable using this link: <https://ob.rushcliff.com/holding-page/565304>

College Student Services tutorial@girton.cam.ac.uk

Chaplain chaplain@girton.cam.ac.uk

College Discrimination and Harassment Contacts

- Professor Amy Donovan: cdhc@girton.cam.ac.uk
- Head of Welfare and Wellbeing: headofwelfare@girton.cam.ac.uk
- The Senior Tutor: senior.tutor@girton.cam.ac.uk

JCR Welfare Officer: jcr-welfare@girton.cam.ac.uk

MCR Welfare Officer: mcr-welfare@girton.cam.ac.uk

Student Advice Services

You can find further information about sources of support on the Welfare Support pages of the College website?

Harassment and Sexual Violence

All the above plus:

[University Harassment and Violence Support Service \(HVSS\)](#)

The police can talk through the process of criminal investigations; they can be reached on 101 for non-urgent enquiries.

The Elms [Sexual Assault Referral Centre](#) (SARC) in Huntingdon offers advice and support to anyone who has experienced sexual violence. They can be contacted on 01480 425003 or theelms.sarc@nhs.net. They can also provide physical examinations if needed.

The [Cambridge Rape Crisis Centre](#) offers specialist advice and support to women who have experienced rape or sexual violence. Some services are also available to other genders. They can be reached on 01223 245888 or support@cambridgerapecrisis.org.uk