

JESUS COLLEGE  
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19. Jesus College and the University expect that complaints against students from more than one College, or involving members of a University club or society, would normally be raised under the University's procedure because of the likely complexity of such cases.
20. Subject to the views and wishes of the Complainant, Jesus College and the University anticipate that complaints about sexual misconduct will usually be directed to the University's procedure.
21. The College will provide pastoral support, as desired, to any Jesus College student involved in the University procedure, whether as a Complainant or as a Respondent.

### **How to make a complaint to the University**

22. The University procedure and guidance documents describe how the Complainant'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. the

26. In reaching a decision on what action, if any, to take, Jesus College may seek legal advice at any point in the process.
27. Complainants should make their complaint in writing 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.
28. The Senior Tutor will give initial consideration to the complaint before a decision is made on whether it will be referred for investigation. Some cases may not be referred for investigation, but instead the Complainant will be asked to seek alternative resolution of the matter, with support from a Tutorial Adviser or another member of the College, or recommended to raise

University Mediation Service is available for students and may be useful in these cases (see Appendix A).

**Consideration of the complaint and possible outcomes**

of Procedures letter should be issued to the Complainant or the Respondent, as appropriate, to enable them to raise the complaint with the Office of the Independent Adjudicator.

## **Discipline**

41. The College's disciplinary procedures are set out in detail in Section C of the College's Regulations, which can be found on JNet, the College's intranet, at <https://jnet.jesus.cam.ac.uk/jnet/governance/college-statutes-and-regulations>

## **Appendix A - Mediation**

Mediation offers a chance for both students to identify and discuss their concerns. Mediation will only be an option if both parties agree to engage with the process.

To support this process, and to complement the work already undertaken by College Tutors in resolution of disputes between students, the University offers a mediation service for students. The student mediation service uses dual mediation by two neutral, independent mediators to assist the students to resolve their differences and reach a mutually acceptable agreement on the way forward.

The mediators are members of staff who have volunteered for the role and who have received formal mediation training. The mediators are impartial; they have



## Appendix B

Formal procedure for consideration of cases of  
student-on-

the 'Complainant' or the 'Respondent' shall be construed as appropriate as referring to more than one person.

- 2.5. A Complainant may choose whether to raise a complaint under this procedure or under the University procedure. However, it is the expectation of the College and the University that the University procedure will be used where:
  - (a) the complaint relates to sexual misconduct; or
  - (b) the complaint relates to conduct occurring in the context of University societies or sports clubs; or
  - (c) the Respondents include students from Jesus College and another College.
- 2.6. A complaint of harassment may be brought under this procedure whether or not it has been reported to the Police - but see paragraph 3.6 below.
- 2.7. A complaint cannot be brought under this procedure if the Complainant has previously made a complaint about the same event(s) which has been dealt with under the University's procedure.
- 2.8. No inferences shall be drawn from the Complainant's choice of avenue to pursue the complaint, be it via the College's procedure, the University's procedure or the Police.

### **3. General principles**

- 3.1. 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.
- 3.2. The College will act reasonably in considering complaints under this 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.
- 3.3. The time limits set out in this procedure may be varied by the Senior Tutor for good reason, after consultation with the Complainant and the Respondent as appropriate.
- 3.4. A written decision issued in accordance with this procedure shall also include the reasons for that decision.
- 3.5. 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, after consultation with the Complainant and the Respondent as appropriate.





5.2. Alternative resolution may not be appropriate for some complaints of harassment because the relationship between the parties has broken down. In such cases, the complaint will be considered in accordance with the formal procedure (section 6).

## 6. Formal procedure

### 6.1. Raising a complaint

6.1.1. A student who wishes to make a complaint under this procedure must do so in writing. The Complainant should set out details of the complaint together with details of any attempts at alternative resolution, if appropriate.

6.1.2. The complaint should be addressed to the Senior Tutor of the Respondent's College.

6.1.3. On receipt of the complaint the Senior Tutor will give the case initial consideration and determine whether to:

- (a) refer the complaint for investigation under paragraph 6.2 of this procedure;
- (b) recommend to the Complainant that they should seek alternative resolution of the complaint;
- (c) decline to refer the complaint for investigation under this procedure and recommend to the Complainant that they should raise it under the University procedure;
- (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.

6.1.4. The Senior Tutor will notify the Complainant in writing of the outcome of this initial consideration within ten Working Days of receipt of the written complaint.

6.1.5. In the event that the outcome of this initial consideration falls within paragraph 6.1.3 (b)-(f) and the Complainant is unhappy with that decision, the Complainant shall have the right to request a review of that decision. The review will be considered by a panel appointed in accordance with paragraph 6.4.

### 6.2. Investigation

6.2.1. Where a complaint is referred for investigation, the Senior Tutor will appoint a trained Investigator to carry out an investigation of the case. The role of the Investigator is to prepare a report that sets out the undisputed facts of the case and any points of difference, and makes recommendations

Respondent's cooperation. The Senior Tutor shall draw no adverse inferences from the Respondent's failure to participate in the investigation.

6.2.6. The









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.

## Appendix B2

### Policy on the use of personal information under the Procedure for Handling Cases of Student Harassment and Sexual Misconduct

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

1. Jesus College has published a general statement which explains how it uses students' personal information <https://jnet.jesus.cam.ac.uk/jnet/college-information/policies-guidelines/information-management/data-protection>. This statement provides information about how the College will use your personal information if you are a Complainant 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.
2. 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 Tutorial 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.
3. 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 Complainant, will be provided to the Respondent. If you have concerns about the sharing of information between the Complainant and Respondent, you should seek advice from the Senior Tutor who has discretion to withhold information in exceptional circumstances.
4. The Senior Tutor and any Fellows (e.g. Tutorial Advisers or Directors of Studies) supporting either the student making the complaint or the student against whom the complaint has been made will normally be provided with a summary of the complaint, including the names of both parties, so that they

