CLARE HALL
CAMBRIDGE

Policy on Personal Behaviour at Clare Hall
Approved by Governing Body 04 December 2024; updated 18 June 2025
Updated by Council 15 October 2026

Introduction

The College prides itself on its commitment to community and equality of opportunity. Consequently, it takes very seriously any attempt of its members to behave in a way which negatively impacts others within the College community.

The College's value is found in the diverse and inclusive spirit of the community. This environment encourages all members, students, staff, fellows and visitors to thrive, both personally and academically, without fear of discrimination, harassment, coercive or abusive behaviour, or sexual misconduct.

The College is purposefully structured to create an atmosphere of equality, mutual learning and respect. In becoming part of and benefitting from this community, every individual is required to embody the core values of the College.

Within the community there is no place for any form of behaviour that harms another. The College will work to ensure that all members of the community are able to receive support and report such behaviour. Where inappropriate behaviour is found to have taken place, action will be taken. It is the responsibility of all members of the community, individually and collectively to be aware of themselves and others and to speak out; to promote a culture where all are welcomed and valued.

Purpose

The purpose of this Policy is threefold:

1. to confirm the importance that the College places on upholding standards of personal behaviour at all times;
2. to ensure that every member of the community is aware of the behaviour expected from them and in return what behaviour they can expect from others; and
3. to inform members of the community, if have concerns about others' behaviour, where they can receive support and where they can report the matter so that action can be taken.

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a) Who can use this policy?

This policy applies to all members of the College community, that is all students, staff, fellows, life fellows, former students, visiting students or visiting fellows, families or others living on site, or visitors to the College.

The College can only be a safe and welcoming space if all who are within it adhere to the same standards of behaviour. College members should take care, when inviting visitors into College, that the expected standards of behaviour are clearly explained to and maintained by their visitors.

b) Standards of Personal behaviour

The College expects each member of its community:

- to treat everyone with respect, accepting that others may have different experiences and opinions;
- to be sensitive to the diverse range of cultures and backgrounds of the individuals that make up the community and appreciate the strength and value this brings to the community; and
- to be aware of the impact of their behaviour on others, acknowledging that there are innate power imbalances within any community, which may result in an unequal dynamic.

The following behaviours are not permitted:

Discrimination	Treating someone differently from others because of certain personal traits or perceived personal traits or their connection with someone else who has certain personal traits or perceived personal traits. The relevant personal traits are called 'protected characteristics' and specifically include: age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race (including colour, nationality, ethnic or national origin), religion or belief, sex, or sexual orientation.
Harassment	Any unwanted behaviour reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment. It includes but is not limited to: threats; abusive comments; the display of abusive or offensive material; insensitive jokes, pranks and personal remarks about others in the community; the use or supply of illicit substances; making malicious accusations; repeatedly contacting someone; displaying controlling or coercive behaviour; sexual or racial 'banter'; or abuse that takes place within an intimate relationship. It can take place in physical or virtual environments.
Bullying	Unwanted behaviour from a person or group that is viewed as offensive, intimidating, malicious or insulting to the recipient and involves the misuse of power. Bullying can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength, status and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct. It includes but is not limited to: spreading false rumours; consistently giving heavier workloads to a particular individual in a team; cutting off or preventing a peer or colleague from reasonably expressing their views in a meeting; being prevented from joining social events by a work team or College Committee.
Sexual misconduct	Any unwanted and unpermitted sexual activity. Sexual activity includes but is not limited to: sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. It can take place in physical or virtual environments.
Physical misconduct	Any unwanted and unreasonable contact. Physical misconduct includes but is not limited to: pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.

c) How to respond to inappropriate behaviour

1. Witnessing behaviour towards others

If you are witnessing the behaviour but it is not aimed at you, providing you feel safe to do so, you can intervene. This does not have to result in immediately and directly calling someone out (though it can, for example, if you do not think the person is aware of the effect of their behaviour). In addition to 'direct intervention', intervening can include distracting the person who is behaving inappropriately, asking whether the person subjected to the inappropriate behaviour is okay, or asking someone else (a staff member or a senior fellow) to address the matter.

Even if you do not feel comfortable doing any of the above, it is important that you do not join in with or encourage the inappropriate behaviour. Not laughing at a comment or not engaging with a conversation can also convey that something is inappropriate.

Normally, you may wish to discuss the behaviour with the person who was subjected to it, to understand whether they wish you to report it or would like help in seeking support. Normally, you would want to give the person subjected to the behaviour control of whether it is reported. However, where you are concerned that the behaviour is serious and may be repeated and cause significant harm, you may wish to report it regardless of the wishes of the person subjected to the behaviour. See *Reporting behaviour* below.

2. Being subjected to inappropriate behaviour

This policy covers a wide array of behaviours, therefore, it covers a wide range of possible responses, some of which will not be appropriate in every situation. However, remember that the 'seriousness' of the behaviour will not necessarily align with the impact such behaviour has on you. There is no 'right' or 'wrong' inward reaction to inappropriate behaviour. The College will never require or pressurise you to formally report inappropriate behaviour if you do not wish to do so but you should seek support if the behaviour has had an impact on you, see *Seeking support* below.

You may feel able to immediately, or shortly afterwards, inform the person that their behaviour is unacceptable and that it should not be repeated. Because of the diverse background of the community, it is possible in some circumstances that any offence given was unintentional. You may find it helpful to factually describe the behaviour to the person and explain how it made you feel. Even if this resolves the matter, you can still seek support. Try to keep a written record of what happened in case it takes place again.

3. Being informed that your behaviour is inappropriate

It is easy to become defensive if someone points out that we are behaving inappropriately, particularly if it is in front of others. While a natural response is wanting to justify the reasons for behaving in this way, or explaining that there was no intention to cause offence, this can have the effect of appearing not to have heard, understood, or cared that the behaviour has caused someone distress or harm. If you are unsure how to respond, then the best thing to do is to listen carefully, not respond straight away and reflect on the situation.

If you understand that your actions have caused offence or harm, then a genuine apology and acknowledging this fact can be helpful.

Even if you consider that the person pointing out your inappropriate behaviour is wrong, it is still important to consider the matter from their perspective and understand that it is likely that it took them courage to say something. If someone has raised the matter with you then it is likely that they were genuinely distressed by your behaviour. You may wish to reflect on this situation with someone else, see *Seeking support* below.

d) Seeking support

All members of the community are encouraged to seek support if they have been affected by the negative personal behaviour of someone else. Support is focused on the person affected by the behaviour to help them to understand what has happened, provide a non-judgmental response of belief and understanding, and to help the person to understand their options for taking action, including not taking action. There is no need to identify the person who behaved inappropriately in order to seek support. Sometimes, more specialist support may be appropriate and if so, this will be signposted.

1. Seeking support within College

Support can be sought from the following sources within College, in the table below. Tutors, Senior Tutors and professional support staff within College have received specialist training in providing support in response to inappropriate personal behaviour:

Who am I?	**Who should I seek support from?**
Student or visiting student	Tutor, Senior Tutor or College-based counselling
Employee	A senior colleague or fellow, other than the bursar
Fellow, life fellow, visiting fellow, research fellow, postdoc	A senior colleague

2. Seeking support within University for students

Students can also access the following services within the wider University:

- The University Counselling Service
- The Sexual Assault and Harassment Advisor
- The Student Advice Service, an independent professional advice service within Cambridge Students' Union

3. Seeking external support

The following non-exhaustive list includes a number of organisations and charities that provide support to those who have been subjected to different forms of inappropriate behaviour:

Sexual misconduct

- The Elms - Sexual Assault Referral Centre (SARC) – for medical examination and support following being subjected to sexual violence
- Cambridge Rape Crisis Centre (CRCC) – email, telephone and group support for self-identifying women subjected to sexual violence
- SurvivorsUK – telephone, webchat and counselling support for men subjected to sexual violence
- Cambridge Women's Aid – support for women subjected to abuse within their homes or within intimate relationships

Misconduct related to protected characteristics

- Stop Hate UK
- Stand against racism and inequality
- Campaign Against Antisemitism
- Equality Advisory Support Service
- TellMama (measuring anti-muslim attacks)
- Disability Rights UK
- Stonewall (campaigning for lesbian, gay, bi and trans equality)

Personal trauma

- The Samaritans
- Lifeline Helpline

4. Disclosing information confidentially

The amount of information you share when seeking support is up to you, you are in control of the information you provide. Most of the time, if you share any information with someone and ask that it is kept confidential then it will not be shared unless you agree to it being shared. However, if you share information that suggests that someone (you, the person you're reporting or another member of the community) is in danger of imminent and significant harm then the person you disclose to may be required to share this information with others and take action, even if you are only seeking support and do not wish them to do so. In this circumstance, the person you have disclosed to will inform you that they will be taking action and the reasons why this is necessary.

If you have concerns about confidentiality, then only provide information you are comfortable sharing and discuss your concerns with the person from whom you are seeking support.

5. Record keeping

If you wish the person from whom you are seeking support to specifically keep a record or not to keep a record of the conversation or disclosure then you should discuss this with them. It is likely that the person may wish to keep a brief record of the date of the conversation and the information you disclosed, however this note will be purely factual.

Depending on who you go to for support, the person may have their own policy in relation to how long they will keep any notes they make, or whether they will share these notes with others in certain circumstances, for example if someone else comes forward and describes being subjected to similar behaviour by the same person, so ask if you have questions. Information within College will be held in accordance with the College's Data Protection Statement.

e) Reporting behaviour

If you want action taken in relation to the behaviour that you have experienced then it will need to be reported and you will need to identify the person responsible for the behaviour. This will result in the person responsible being informed of your report and may lead to an investigation of the behaviour. Witnesses are able to report matters, it will then be for the College to determine the most appropriate action, depending on the circumstances.

1. Anonymous complaints

If you wish for action to be taken in response to the inappropriate behaviour then you will need to report it. Due to the nature of inappropriate personal behaviour, it is unlikely that an anonymous complaint would be possible in any circumstances, as the details will be particular to the incident and therefore, the person being reported would know who was involved. If you do not want to report because you have concerns for your safety, there are protections available for you.

2. Protection for those who have reported

For those who report inappropriate behaviour, where it is proportionate to do so due to the risk, immediate protection can be put in place. This is so that those affected by the investigation, including the person reporting and the reported person, feel safe and so that the investigation can take place, this is important as investigations can take a number of weeks or even several months to complete. The protections put in place by the College will be risk-based and will depend on the reported person's role within the College so it is important to ask about what would be available. Examples may include an alternative person writing any references or determining who receives finite resources, restricting the person who has been reported from being able to contact the reporting person, and/or restricting access to their accommodation or workspace.

3. Who will find out if I make a report?

Reporting an incident does not result in this information being shared with all College members. The details of any report will only be shared with those who need to know. Whilst any investigation is ongoing everyone involved will be required not to discuss the matter with others within the Community, except with those whom they are receiving professional support. This protects everyone and tries to minimise the spread of misinformation. The person who you are reporting will almost always be informed of the matter as soon as possible.

If you have concerns about who may find out if you report behaviour then ask.

4. How to report someone

All members of the community can report inappropriate behaviour where they wish action to take place. The members of College who receive reports have been appropriately trained in relation to handling reports of inappropriate personal behaviour, their role is to consider action and remain neutral while any investigation is ongoing; this is why it is important to seek support in addition to reporting behaviour. If you would prefer you can ask your supporter to make the initial report or ask for them to accompany you to report the behaviour.

Who am I?	**Who are you reporting?**	**Who can I report to?**	**Relevant procedure**
Student	Another student for any sexual misconduct, harassment or serious instances of other forms of personal misconduct	The University's Office of Student Conduct, Complaints and Appeals	• University Informal Complaint Procedure for Student Misconduct • University Student Disciplinary Procedure
Student	Another student for any other inappropriate behaviour	Senior Tutor, Bursar or President	• College Procedure for Student on Student misconduct (informal) • College Student Disciplinary Procedure
Student	Senior College member	Senior Tutor, Bursar or President	• College Statutes & Ordinances • College Staff/Fellows and Students Relationships Policy
Student	College employee	Senior Tutor, Bursar or President	• College Staff Disciplinary Procedure • College Staff/Fellows and Students Relationships Policy
Employee	Any member of the College community	Bursar or HR manager	College Personal Harassment Policy and Procedure
Senior College member (fellow, life member, visiting fellow)	Any member of the College community	Senior Tutor, Bursar or President	College Statutes & Ordinances

5. What will happen if I report someone?

It is likely that for action to take place there will need to be an investigation to prove that the behaviour took place. The time that this will take will vary depending upon the complexity of the investigation and can take from a few weeks to a few months. Within that investigation there will be an opportunity for the reporting person to provide all of the relevant information and the person being reported to respond to that information. Anyone reporting

inappropriate behaviour will be able to bring a supporter to the meeting, so there is always someone there who can provide belief and support. The investigator's role is to approach any report from a neutral perspective. If you have concerns about the investigator's neutrality then raise this as soon as possible.

Following the investigation process, there will be an outcome determining whether, on the basis of the information provided, there is sufficient evidence that the behaviour took place. Remember that the account of the person subjected to the behaviour is a form of evidence, however, investigations are complex, and it is not possible to know what the outcome of an investigation will be prior to a report being made.

If the investigation can prove the behaviour took place, then it is highly likely that sanctions or measures will be put in place. This can relate to long-term restrictions to the reported person ensuring limited or no interaction with the person reporting the behaviour, rehabilitative or educative sanctions to change the behaviour of the reported person, formal warnings, apologies where these would be helpful to the person reporting the behaviour, or where the behaviour is most serious, temporary or permanent removal from College.

The person who has reported the behaviour will be informed of whether any report has been upheld or not, and any sanctions or measures that have been put in place that have a direct impact on them. Due to data restrictions within GDPR, it is usually not possible to inform a reporting person of disciplinary sanctions imposed on others where the sanction does not have a direct impact on the reporting person.

6. Reporting to the police

If members of the College community believe that a criminal offence has taken place, then they can report it to the police, regardless of when it took place. The police have powers and investigatory resources far beyond that of the College and University and therefore, for the most serious misconduct, this may be the best reporting route. A report can be made to the College or the University in addition to the police and there is no requirement to report to the Police.

If someone reports a matter to the Police as well as the College or University, it is likely that the College or University will not begin any investigation until after any police investigation and subsequent criminal proceedings have taken place. However, protections may be put in place by the College or University during this time.

If a matter is reported to the police then it can be useful to inform the College, via the Senior Tutor, Bursar or President, to ensure appropriate protections can be considered.

There are also options to report hate crime to the police anonymously for statistical purposes through TrueVision (official UK Police-linked organisation for reporting and providing information on hate crime) or to report sexual violence to the police anonymously in order to be contacted again if someone else comes forward with a similar report. This anonymous process can take place through the University's Sexual Assault and Harassment Advisor or the Elms - Sexual Assault Referral Centre (SARC).

7. Historical complaints

There are no absolute deadlines or cut off periods for reporting inappropriate behaviour, and it is accepted that the impact of behaviour can often delay people in reporting. However, practically the time that has passed may limit the level of investigation that can take place or the amount of evidence that can be gathered. Nonetheless, where historical complaints are made, appropriate action will be taken by the College.

College Staff/Fellows and Students Relationships Policy

1.(i) A staff member, Fellow or senior member who has direct or indirect academic responsibilities, or other direct professional responsibilities is prohibited from pursuing or entering into an intimate relationship with any student. Failure to comply with this Policy will be considered as a disciplinary matter.

(ii) Such staff members, Fellows and senior members are strongly discouraged from having any close personal relationship with any student and must declare if such a relationship has developed, is developing or appears likely to develop between them and any student. A failure to declare will be considered as a disciplinary matter.

2. Such staff members, Fellows and senior members must not take on or assume a professional responsibility for a student: (i) with whom they are in an existing intimate relationship or with whom they previously had such a relationship; or (ii) with whom they are in any close personal relationship or with whom they previously had such a relationship without first declaring this to their line manager, to enable them to assess the risk of conflicts of interest and put appropriate measures in place as necessary.

3. If such a staff member, Fellow or senior member: (i) is already in an intimate or any close personal relationship with any student; (ii) or has previously been in an intimate or any close personal relationship with any student: they should declare that relationship to the line manager immediately, even if the relevant responsibility for the student has ended.

4. If a member of staff, Fellow or senior member is in an intimate or any close personal relationship with a student for whom they do not currently have any direct or indirect academic responsibilities, or other direct professional responsibilities, but where it would be reasonable to assume that they may in the future have responsibility for the student, the relationship should be disclosed to the relevant line manager to assess the risk of any conflict of interest arising and put appropriate alternative and/or protective measures in place as necessary.

5. If it is found this Policy is breached unintentionally, for example where a member of staff is unaware that the other party is a student, and had no reasonable basis to suspect it, the member of staff should inform their line manager as soon as they become aware of the situation. If a member of staff is unsure whether a relationship with a student should be disclosed under this Policy, the member of staff should disclose it.