**Revised College Template**

Further to the circulation of a College template for procedures for handling cases of student harassment or sexual misconduct, a number of questions have been raised by Senior Tutors about the document and the practicalities of implementation.

A revised College template is provided which seeks to address the issues raised. Revisions are highlighted as tracked changes. Most of the revisions are not substantive and have been made to provide greater clarity within the procedure. However, two key changes have also been included, which Colleges that have already put procedures in place should take note of:

1. an explicit right to make representations, appeal or request a review of precautionary action, this is an important change in line with legal guidance;
2. the removal of a requirement for a student to bring forward a complaint within three months.

Furthermore, a number of more practical questions have been received, these questions cannot readily be addressed within the procedure, but are relevant and therefore guidance is provided below:

**Consequences of students being suspended as a result of precautionary action**

The University and Colleges’ Joint Committee has suggested that it would be helpful to agree a standard operating procedure with regard to issues such as a student’s fees status and College accommodation entitlement in the event of a precautionary suspension. Following consideration of, and reflection on the current processes in place to consider fee remission, it is felt that these remain appropriate for use in cases where either Colleges or the University have taken precautionary action. In the case of undergraduates, a request for fee remission can be made to the Applications Committee or, for Graduate Students, to the Board of Graduate Studies by the Tutor or Senior Tutor. In relation to accommodation entitlement, it is suggested that this is a matter for the Colleges’ own consideration as any process and decision will be based on the accommodation contract in place between the student and the College.

**Trained investigators**

Some Colleges have requested whether it is possible to use the company that the University is using in order to investigate cases. Whilst this is possible, the external investigators charge £1000 per day and work with note takers is charged at £400 per day. Alternatively, the same company have offered to provide a one day bespoke training for staff conducting investigations of student misconduct under the new procedure. The costs of the trainer are £1200 + VAT per day for up to 12 delegates. Therefore, it would be possible to provide training to a member of College staff for £100.

If Senior Tutors are interested in external training for staff within their College then please contact Sarah d’Ambrumenil ([sed52@admin.cam.ac.uk](mailto:sed52@admin.cam.ac.uk)) with the number of staff to be trained, whether the training session can take place in your College and the date by which you would like staff to be trained. If more than two training days are booked there is a reduction in price to £900 + VAT and therefore it is financially preferable to organise the training centrally with multiple Colleges attending a single training session. It is noted that due to the breadth of material covered it is not possible to reduce the training session into less that a whole day (9am-5pm); the company would normally deliver this skills training over two days.

The University will be using the external company for the most serious cases, but expects to use internal investigators for other cases.

**Retention Schedules**

You should keep material relating to complaints in line with your College’s data retention schedule. If you do not have this type of material listed under your retention schedule and are looking for guidance, you may wish to note that the University Office of Student Conduct, Complaints and Appeals keeps records for six years following the last action on a case, unless the case involves a medical or veterinary student and then the record is kept for twelve years following the last action on a case.

**Students making informal complaints**

It is up to the Complainant to choose whether to make a formal complaint. No pressure should be put on a Complainant to raise a complaint with the College, the University or the Police. It is possible to imagine a situation where a student does not wish to make a complaint, but would be content with a College taking ‘informal’ action. Depending on the nature of the complaint, it is very difficult for informal action to have any positive effect as the alleged perpetrator will need to be informed of the allegation, advised that they can seek independent advice and receive confirmation that they are entirely within their rights to not comply with any informal action. However, informal action in itself is not prohibited if requested by the Complainant.

However, please note that a staff member suggesting to a student that informal action could be taken could imply that there is a preference for not considering a complaint openly and transparently. Well-meaning attempts to put something in place quickly and informally for the benefit of the student, can lead to the student feeling like they have no control over the situation and do not know what they can expect from the College and/or University. The biggest barrier to receiving disclosures from students is that they think the College or University will not believe them or will try to hush it up.

**Mediation**

Whilst the University has a mediation service that uses staff mediators, this does not prevent a College from using its own mediators or using another mediation service.

Alice Benton

Head of Educational & Student Policy 11 April 2017