

OSCCA Guidance for Tutors: How to support a respondent student

Everyone needs support

- Whether or not someone has behaved in a way that breaches the University rules, all students need non-judgmental support in understanding their options and choosing the action that's best for them;
- This is likely to be a stressful time for the student, which may negatively impact other aspects of their University experience.

Before the respondent engages with a University procedure OSCCA will inform them of:

- Any potential ramifications relating to the criminal justice process – any information the student provides can be requested by the police;
- The nature of the allegation and the person to which it relates;
- The right to bring a supporter to any meeting that they are invited to attend;
- The right to seek independent advice from their College, the Students' Unions' Advice Service, or where the Disciplinary Procedure is initiated, also a Law Faculty volunteer;
- Their right to seek legal advice; this is possible but costly and is unlikely to impact the outcome.

Advise the student of the following information: (www.studentcomplaints.admin.cam.ac.uk/accused)

Student Harassment & Sexual Misconduct Procedure

- The student does not need to give any account of what happened (or admit or deny anything) in order to engage with the process;
- The purpose of the procedure is to limit contact with the complainant;
- This matter is not recorded on their record unless there are repeat offences;
- Any actions taken need to have the full agreement of the respondent student – they can agree to some, all or none of the proposed actions;
- The complainant has the option to use the disciplinary procedure and/or, if they believe a criminal offence has been committed, to go to the police during or following the procedure.

Student Disciplinary Procedure

- The student will need to engage with the investigation undertaken by the University Advocate;
- Following investigation, the University Advocate can 'charge' the student with an offence, the 'charge' will be considered by the Discipline Committee leading to a finding of 'guilty' or 'not guilty';
- If the student is found 'guilty' of an offence, the Discipline Committee can impose a sanction: from a warning to changing academic results (for academic offences) to removal of University membership.

Precautionary Action

- If, whilst an investigation is ongoing, the risk the respondent poses to themselves or the University community is considered 'high', precautionary action will be taken;
- Precautionary action must be adhered to and can limit a student's access to University facilities, services or spaces, or result in their temporary suspension;
- Precautionary action does not make an assessment of guilt or innocence;
- The student will be able to make representations before and after the decision is made;
- Any precautionary action will be regularly reviewed by the Academic Secretary.