

1. Purpose of this Complaints Procedure

- a. The Oxford University LGBTQ+ Society's Code of Conduct ensures our events are as inclusive and safe as possible for people of all identities.
- b. All members of the LGBTQ+ Society are expected to act in accordance with the Society's Code of Conduct and the University's Harassment Policy, both at in-person events and in online spaces. The Code of Conduct applies to all attendees of events, all members of the Society's online spaces, all Committee members, and all staff, students and non-students involved with the Oxford University LGBTQ+ Society.
- c. As outlined in the Code of Conduct, the Society does not tolerate any form of harassment or victimisation, including but not limited to homophobia, racism, transphobia, queerphobia, biphobia, misogyny, xenophobia, classism, anti-Semitism, islamophobia, and ableism.
- d. This document, the Complaints Procedure, explains how the Society shall address complaints of behaviour which violates the Code of Conduct and compromises the safety of members of our community at LGBTQ+ Society events.
- e. Pursuant to the Complaints Procedure outlined below, the Society reserves the right to take measures in response to an individual's behaviour at non-LGBTQ+ Society events if they compromise the safety of members of our community at LGBTQ+ Society events.
- f. The Code of Conduct and this document, the Complaints Procedure, operates in addition to the Society's Constitution and Standard Constitution for Non-Sports Clubs.
- g. University of Oxford students can, in addition, seek support from:
 - i. University harassment advisors;
 - ii. college harassment advisors (for members of Oxford colleges);
 - iii. their college deans or other officers with pastoral responsibilities;
 - iv. the Common Room welfare or equal opportunities officer;
 - v. a student peer supporter;
 - vi. the University Counselling Service;
 - vii. OUSU's Student Advice Service;
 - viii. the Oxford Sexual Harassment and Violence Support Service.
 - ix. More information about support is available on the [Oxford Students harassment page](#).
- h. The remainder of this document describes the process for applying the Code of Conduct in a consistent, proportional, and accountable manner, such that it may promote the harmony and tranquillity of the society. To this end, these procedures should be used to protect rather than to punish, to foster empathy rather than division, and to promote restorative over punitive justice.

2. Complaints Arising from Breaches of the Code of Conduct at Society Events

- a. Where a breach of the LGBTQ+ Society's Code of Conduct occurs at a Society event, a complaint can immediately be made to the Committee Member or event organiser.
- b. After a complaint regarding an ongoing event is made, the Committee Member must evaluate the situation and take temporary measures appropriate to the situation. Wherever possible this should entail informal resolution and requests to change behaviour. Should this be infeasible the Committee Member may ask the complainee to leave the event, or notify, for instance, the Junior Deans of the respective College at which the event is held.
- c. Where an individual refuses to leave after being asked by the organizing Committee Member to do so, they shall be reported to the Junior Deans or the manager of the respective venue, who shall be asked to remove the complainee from the event.

- d. Any complaint made, regardless of the measures taken, must be reported immediately to the President and Welfare Working Group, unless one of these individuals is the complainee or complainant:
 - i. If the complainee or complainant is the Society President, the complaint must be reported to the Welfare Working Group excluding the President, as well as the Senior Member.
 - A. The President shall thenceforth not be privy to the Welfare Working Group's deliberations.
 - B. Until a judgment is made, the Welfare Working Group should restrict the President's access to the files concerning this complaint only.
 - ii. If the complainee or complainant is a member of the Welfare Working Group, the complaint must be reported to the Welfare Working Group not including that member, as well as the Senior Member.
 - A. The concerned individual in the Welfare Working Group shall be recused from the judgment process for this complaint only. The Welfare Officers should select from among the Committee a replacement for the recused individual, with an eye towards mitigating any potential bias brought to consideration.
 - B. Until a judgment is made, the Welfare Working Group should restrict the concerned member's access to the files concerning this complaint only.
- e. Once a complaint has been reported to the Welfare Working Group, §5 and §6 apply.

3. Complaints Arising through Other Means

- a. Where the breach of conduct is not or cannot be brought to the attention of an organizing Committee Member when and where it occurs, a written complaint to the Welfare Working Group is encouraged.
- b. Complaints cannot be made anonymously.
- c. Individuals unsure about making a complaint are encouraged to contact the President at ouprez@gmail.com, or one of the Welfare Officers under ouwelf01@gmail.com or ouwelf02@gmail.com. Any issues discussed with the Welfare Officers and the Executive Committee will remain in strict confidence unless the individual raising the concern would like to pursue the matter further by making a complaint.
- d. The exception to (3.c) is when matters raised create concerns about the safety of members or other attendees at events. In this case, the Welfare Officers and the Executive Committee may consult with other officers and the University, e.g., Junior Deans, and act to ensure the safety of members. The identity of the complainant must nonetheless remain anonymous towards any other individuals, unless the complainant wishes and explicitly consents to it being disclosed.
- e. Formal complaints can be made in writing to any Committee member, who will then pass it on to the Welfare Working Group for consideration. In the first instance, complaints should be directed to the Welfare Officers at ouwelf01@gmail.com & ouwelf02@gmail.com

4. Emergency Powers of the Executive Committee

- a. As a temporary response to a complaint, the Executive Committee have the authority to issue a temporary warning, or partial or complete ban (henceforth an 'Emergency Interdict') against a complainee for a period of up to 7 days (168 hours) *only if* a majority of the Executive Committee agree:
 - i. that the complainee's violations of the Code of Conduct is likely to cause significant harm to members of the Society before it is possible to convene the Welfare Working Group.
- b. No other members of the society have the authority to issue Emergency Interdicts.
- c. If the Executive Committee wishes to issue an Emergency Interdict against a Committee member, the Senior Member must be notified and may veto the Executive Committee's decision.

- d. Should the Executive Committee issue an Emergency Interdict, they must *immediately*:
 - i. notify the subject of the Emergency Interdict by instant message or similar;
 - ii. notify the entire Welfare Working Group by instant message or similar;
 - iii. ask the Welfare Working Group to convene within the 7-day period and decide whether there exists probable cause to continue an investigation.
- e. The Emergency Interdict will expire as soon as the Welfare Working Group decides on a Provisional Interdict (as described in §5), or at the conclusion of the 7-day period, whichever is the sooner.

5. Provisional Powers of the Welfare Working Group

- a. Upon receipt of a complaint, the Welfare Working Group may issue a temporary warning, or partial or complete ban against a complaine (henceforth 'Provisional Interdict') only if a majority of the Welfare Working Group vote to agree:
 - i. that there is probable cause to continue an investigation for infractions and
 - ii. that given the available evidence, the response in the Provisional Interdict is appropriate to the situation.
- b. For the duration of the assessment by the Welfare Working Group, the complainant and complaine may not contact the members of Welfare Working Group, except as specified in §7.

6. Jurisdiction and Procedure of the Welfare Working Group

- a. Committee members and the Executive Committee must always defer to the Welfare Working Group to judge violations of the Code of Conduct.
- b. Therefore, complaints arising from the processes outlined in §2 and §3 must always be sent to the Welfare Working Group and any Identity Representatives relevant to the individual case for assessment.
- c. When judging violations of the Code of Conduct, the Welfare Working Group must provide documentation of the entire process to the Senior Member and Executive Committee, including detailed minutes.
- d. Given the case and the involved parties, the Welfare Working Group shall decide whether it is feasible and in the interests of the parties to hold an in-person meeting of the parties to mediate the matter.
- e. If the conditions in (d) are not met, the Welfare Working Group shall adjudicate the complaints as described in the following sections.

7. Adjudication of Complaints by the Welfare Working Group

- a. Within 2 days (48 hours) of receipt of the complaint, the Welfare Working Group must formally write to the complaine. They must attach the complaint including the identity of the complainant, all the accompanying evidence and a copy of this procedure. They must also state that the complaine has 5 days to provide a written account and any evidence in response to the complaint.
- b. From the point of this communication, the complaine has 5 days to provide a written account and evidence in response to the complaint. If the response to the complaint includes an anonymous statement from a witness or refers to an individual without disclosing their identity, it must include the reasons why these individuals are being left anonymous.
- c. After receiving a response to the complaint, the Welfare Working Group shall judge the case.
 - i. They must first decide whether the Society has jurisdiction over the complaint, or whether the complaint denotes an interpersonal dispute over which the Society has no jurisdiction.
 - A. Let the 'Litmus Test' for jurisdiction be: Does the concerned individual compromise the safety of members of our community at LGBTQ+ Society events? as described in (1.d)

- B. The Welfare Working Group must use the Litmus Test to decide whether the Society has jurisdiction over the complaint.
- ii. If the Welfare Working Group decide the complaint is outwith the Society's jurisdiction, they must dismiss the complaint. They must not trigger Section H or impose any Society Sanctions.
 - A. If appropriate, the Welfare Working Group may signpost the complainant to pursue their grievances through other channels, including but not limited to the University's informal mediation service, the University's formal harassment service, or the Police/Courts.
- iii. If the Welfare Working Group decide the complaint is within the Society's jurisdiction, they must follow the decision procedure in §8.
- iv. In making their judgment, they should consult the relevant Identity Representatives and take into consideration the feedback and advice they give.
- d. The Welfare Working Group should aim to come to a judgment within 4 days.
- e. Once they have passed judgment on the matter, the Welfare Officer shall be responsible for communicating this to the relevant parties.

8. Determination of Sanctions by the Welfare Working Group

- a. The decision procedure and sanctions in this section can only be triggered by an affirmative judgment of jurisdiction by the Welfare Working Group, as described in (7.c.iii).
- b. In its judgment of which (if any) sanctions to impose on the complainee, the Welfare Working Group **must** consider the following questions:
 - i. To what extent does the complainee compromise the safety of members of our community at LGBTQ+ Society events?
 - ii. How much unbiased evidence is available to support (i)?
 - iii. Is the evidence for (ii) sufficiently strong to support any sanction?
 - iv. Are the proposed sanctions an appropriate and proportional response to the complaint?
 - A. In the case of repeated offences, the Welfare Working Group shall use the information about prior offences to determine what constitutes an appropriate sanction.
 - B. The Welfare Working Group shall usually issue warnings prior to a ban but reserves the right to issue a ban after the first infraction where it is particularly severe.
 - C. The Welfare Working Group shall avoid using permanent warnings/bans unless the offence is particularly grave and no other alternatives are possible.
 - v. How will the proposed Society Sanctions affect the complainee's current and future welfare and safety?
- c. Let Society Sanctions include:
 - i. rehabilitative resolution through Society channels;
 - ii. the implementation of no-contact provisions;
 - iii. warnings;
 - iv. the requirement of an apology;
 - v. bans subject to conditions such as time stipulations or the attendance of relevant workshops;
 - vi. outright bans from certain events;
 - vii. the revocation of membership.
- d. Subject to the considerations adumbrated in (b), the Welfare Working Group may decide by majority vote to impose Society Sanctions on the complainee.
- e. Society Sanctions may not be imposed through any other process except as adumbrated in this document.

- f. If deemed severe enough, the Welfare Working Group may choose to share its judgment with the complainee's college or the University Proctors. The identity of the complainant must nonetheless remain anonymous, unless the complainant wishes and explicitly consents to it being disclosed.
- g. Either party may appeal against the judgment of the Welfare Working Group, as outlined in §12 and §13.

9. Running for Committee Positions

- a. Individuals found to have breached the Code of Conduct in the past may still be allowed to run for Committee positions, unless part of the Society Sanctions included a ban on standing for a Committee position.

10. Breaches by Committee Members

- a. As per §13.d of the Society's Constitution, where the Welfare Working Group considers an alleged breach of the Code of Conduct by a Committee member, they are to assess whether it would be appropriate for that Committee member to continue their role. Should they find this not to be the case, the President is required to remove the respective Committee member from their position subject to approval by the Senior Member.
- b. As per §13.e of the Society's Constitution, where the Welfare Working Group considers an alleged breach of the Code of Conduct by the President, the Welfare Working Group is to send their decision to the Senior Member alone, who shall decide whether to approve their decision. The President may not, in any way, interfere with this process.

11. Confidentiality

- a. The Society shall keep all complaints and judgments of complaints confidential. As such, only directly involved parties, and Society officers involved in the implementation of any measures shall be notified of the outcome of any complaints.
- b. An exception to this can only be made where keeping information confidential may further harm the welfare of the Society's members.

12. Internal Review

- a. If either party is dissatisfied with the judgment reached by the Welfare Working Group, they have the right to ask the Committee to review the Welfare Working Group's decision.
- b. Such a request must be submitted to a member of the Executive Committee within 1 month of notification of the Welfare Working Group's judgment.
- c. Within two weeks of receiving this request for review, the Executive Committee shall convene a Review Committee to discharge this internal review.
- d. The Review Committee shall:
 - i. Include, at a minimum, those members of the Executive Committee not in the Welfare Working Group and the Senior Member.
 - ii. Contain at least four members.
 - iii. Should the individuals named in (i) not add to four (for reasons of vacancy or inability to participate) then other individuals in the Committee not on the Welfare Working Group shall be added to the Review Committee, in descending order of precedence as listed in the Constitution.
- e. The Review Committee shall decide:
 - i. whether the Welfare Working Group properly applied the Society's procedures to the case; and by extension,

- ii. whether the actions taken by the Welfare Working Group were appropriate and proportional to the alleged breaches.
- f. The Review Committee's judgment shall be recorded and communicated to both parties.

13. External Review

- a. If either party is dissatisfied with the review of the judgment reached by the Review Committee, they have the right to ask the Proctors to review the Society's decision.
- b. Such a request should be submitted to the Proctors' Office within 1 month of notification of the Review Committee's decision.