

Oxford University No Contact Arrangement Policy

1. Introduction

- 1.1 The University aims to provide a safe environment in which students can focus on and pursue their education. As part of this, the University recognises that there will be circumstances when it is desirable to put in place arrangements to limit the contact between students who are in dispute while allowing them to continue their academic studies.
- 1.2 This guidance document provides information for students and staff at the University on the provision of No Contact Agreements (NCAs) and No Contact Orders (NCOs).
- 1.3 NCAs and NCOs may be put in place as part of or parallel to other University procedures, including the University's Disciplinary Procedure¹, and the University's harassment policy and procedure², or independently under Statute XI³.

2. General Principles

- 2.1 Both an NCO and an NCA are formal arrangements designed as protective measures to help mitigate the potential for future problematic interactions between students who are in dispute. More specifically:
 - i. A *No Contact Agreement (NCA)* is a mutual agreement between students who voluntarily agree to measures to limit the likelihood of contact between them, except for that which is necessary for their academic studies. An NCA may be put in place during disciplinary proceedings or where no disciplinary proceedings are taking place.
 - ii. A *No Contact Order (NCO)* is an order from the Proctors imposing measures on particular students who are in dispute to limit the likelihood of contact between them, except for that which is necessary for their academic studies. An NCO may be imposed: (a) as an interim measure during disciplinary proceedings, (b) as a sanction at the outcome of disciplinary proceedings or, (c) where no disciplinary proceedings are taking place, where a student unreasonably refuses to agree to an NCA.
- 2.2 An NCA/NCO imposed as (a) an interim measure during disciplinary proceedings or (b) a protective measure where disciplinary proceedings are not taking place is not punitive and should impose the minimum impact reasonably possible on the students involved.
- 2.3 The main purpose of an NCO imposed as a sanction should be to be protective of the student(s) involved.
- 2.4 An NCA/NCO will usually prohibit all forms of intentional communication, including, though not limited to, visiting, calling or sending messages to each other, either physically, electronically or through third-parties, unless required for academic purposes. It may include bans from certain areas of the University or Colleges and/or timeframes in which access is prohibited. In consultation with the relevant faculty or department it may also be accompanied by adjustments to teaching arrangements.
- 2.5 Any accidental contact is not considered a breach of an NCA/NCO.

¹ <https://academic.admin.ox.ac.uk/files/universitystudentdisciplinaryprocedure-non-academicmisconductpdf-0>

² <https://edu.admin.ox.ac.uk/harassment-policy>

³ <https://www.admin.ox.ac.uk/statutes/352-051.shtml>

- 2.6 An NCA/NCO is intended to protect students while they are students at the University, but the dispute giving rise to the NCA/NCO does not have to have occurred in a University context.
- 2.7 An NCA/NCO does not constitute a finding or allegation of a breach of any provision of the University's Statutes, Regulations, Codes of Practice, departmental rules or other policies including the Code of Discipline.
- 2.8 An NCA/NCO does not preclude the possibility of a future review of any conduct under the Disciplinary Procedure
- 2.9 Any breach of an NCA/NCO which occurs in a University Context may result in disciplinary proceedings for breaching sections 2(1)(j) and/or (n) of Statute XI.
- 2.10 An NCA/NCO will remain in effect until either it has been terminated in writing by the Proctors, or the period for which the arrangement was in place has passed.
- 2.11 All requests for NCAs will be dealt with promptly. Any time-critical factors set out in the NCA Request Form will be taken into account.

3. No Contact Agreement (NCA)

- 3.1 If a student identifies a need to have a formal arrangement in place to limit contact with other student(s), they can approach the Proctors' Office and request an NCA.
- 3.2 The student requesting an NCA should complete and submit a NCA Request Form to the Proctors' Office (casework@proctors.ox.ac.uk).
- 3.3 The form should include the following information:
 - a) the contact restrictions sought;
 - b) a statement acknowledging that if an NCA is put into place this will be a two-way agreement with restrictions on both parties;
 - c) a brief outline of the dispute;
 - d) that the student is satisfied that it is not reasonably possible for them to resolve the dispute in any other way (including identifying any formal steps taken to resolve the matter to date, such as the Student Resolution Service);
 - e) that the student considers that the NCA is necessary because the dispute is having a significant impact on their wellbeing. The student should identify the impact on them, and should attach any evidence they have of that impact (eg a doctor's letter); and
 - f) either:
 - i. that they have good reasons for not reporting the matter under the Disciplinary Procedure (for example, that the matter relates to events that took place outside a University context); or
 - ii. that the Proctors have declined to investigate the matter under the Student Disciplinary Procedure.
- 3.4 The Proctors' Office will confirm receipt of the NCA Request Form within 2 working days.
- 3.5 Queries about this stage of the process and completing the NCA Request Form should be addressed to the Proctors' Office at casework@proctors.ox.ac.uk. The Proctors' Office can provide guidance about the kinds of contact restrictions that may be appropriate.
- 3.6 A Proctor will usually review the request within 1 week and decide whether it is fair and appropriate in all the circumstances to proceed with an NCA. The Proctor will not consider the merits of the underlying dispute, but will focus on determining whether the

apparent impact on the student making the request is sufficiently serious to justify an NCA.

- 3.7 The Proctor has a discretion to refer any matter brought to the Proctors' attention for disciplinary action if it is considered appropriate to do so
- 3.8 The Proctor will consider whether the requested restrictions are reasonable. If the Proctor considers that they are not reasonable, the Proctor will liaise with the student requesting the NCA to agree amendments to the proposal before continuing as set out below.
- 3.9 The Proctor will then communicate the request to the other student(s) and invite comments on the proposal. The Proctor will consider those comments and will then seek to liaise between all of the students involved to negotiate an agreed form of words, typically via email. The NCA should seek to impose the minimum impact reasonably possible on the students involved. Once the details have been agreed, the students involved will receive a letter confirming the terms of the agreement. The aim is to complete this process within 3 weeks of the request being made.
- 3.10 In the event that a student declines to enter into an NCA, the Proctor will consider whether it is fair and appropriate in all the circumstances to impose a No Contact Order.
- 3.11 If any student affected by an NCA wishes to change its terms at any time the student should contact the Proctors' Office who will liaise with the other student(s) involved to attempt to reach an agreed resolution.

4. No Contact Order (NCO)

- 4.1 A NCO may be issued by a Proctor and/or Student Disciplinary Panel ("SDP") under two conditions;
 - i. Where the Proctor has received information which has led him or her to consider that the apparent impact on the student making the request is sufficiently serious to justify restricting contact and one or more of the students have refused to enter into an NCA, the Proctor may impose an NCO if he or she considers that it is fair and appropriate in all the circumstances to do so. The NCO should seek to impose the minimum impact reasonably possible on the students involved
 - ii. As a protective measure under the Disciplinary Procedure. This may be either as an interim measure during the investigation process, and/or as a sanction associated with a finding of a breach of the Code of Discipline.
- 4.2 An NCO may be a two way arrangement (all parties must refrain from direct or indirect contact and/or abide by other restrictions) (this will usually be the case for an NCO imposed where an NCA has been rejected), or a one way arrangement (one of the parties must refrain from direct or indirect contact and/or abide by other restrictions) (this will usually be the case for an NCO imposed as a sanction).
- 4.3 The Proctors and/or SDP will communicate the NCO to all parties involved. An NCO imposed where an NCA has been rejected will usually be put in place within 2 weeks of the refusal to agree to an NCA.
- 4.4 Any student subject to an NCO, which was not put in place under the Disciplinary Procedure, may appeal in writing the need for and/or terms of the NCO to the Student Disciplinary Panel in accordance with the *Regulations for the Student Disciplinary Panel*⁴. Any such appeal should be addressed to the Secretary to the Student Disciplinary at sdp@admin.ox.ac.uk.

⁴ <https://www.admin.ox.ac.uk/statutes/regulations/234-062.shtml>