



Sexual Harassment Policy

1. Overall Aim

- 1.1 The college is committed to providing a positive work and study experience for all our employees and students which includes a zero-tolerance approach to sexual harassment.
- 1.2 This Policy sets out the college's expectations of behaviour by our employees and students and provides approaches for dealing with complaints of sexual harassment or sexual violence:
 - Sexual violence means rape, assault by penetration, or sexual assault (intentional sexual touching).
 - Sexual harassment means unwanted conduct of a sexual nature – such as sexual comments, sexual jokes or taunting, physical behaviour like interfering with clothes, or online harassment such as sexting.
- 1.3 It also intends to protect students and employees from inappropriate sexual behaviour in addition to that outlined above.

2. Definitions and Scope

- 2.1 Sexual harassment is unlawful under the Equality Act 2010 ('the Act'). It is also unlawful to treat someone less favourably because they have either submitted a complaint of sexual harassment or have rejected such behaviour. Under the Act sexual harassment is defined as occurring when a person engages in unwanted conduct of a sexual nature that has the purpose or effect of:
 - violating someone's dignity, or
 - creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- 2.2 Sexual harassment includes a wide range of behaviours including but not limited to:
 - sexual comments or jokes
 - displaying sexually graphic pictures, posters or photos
 - suggestive looks, staring or leering
 - propositions and sexual advances
 - making promises in return for sexual favours
 - sexual gestures
 - intrusive questions about a person's private or sex life, and discussing your own sex life
 - sexual posts or contact on social media
 - spreading sexual rumours about a person
 - sending sexually explicit emails or text messages
 - unwelcome touching, hugging, massaging or kissing
 - criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications
 - Predatory behaviour
 - Coercion
- 2.3 Sexual interaction that is invited, mutual and consensual is not sexual harassment because it is not unwanted. An individual can experience sexual harassment from someone of the same or different sex and the recipient of the behaviour decides whether or not it is unwanted.
- 2.4 Sexual harassment can be a one-off event and does not need to be directed at a

person. It can be witnessed or overhead. Sexual conduct that has been welcomed in the past can become unwanted.

- 2.5 For the purposes of this Policy, 'employees' are defined as any individual either employed or engaged by the college on a paid or unpaid basis to carry out work for the college under any type of employment contract. This includes:
- Teaching staff – permanent or temporary
 - Support staff – permanent or temporary
 - Visitors to the college working directly or indirectly with students
 - Governors
- 2.6 A student is considered to be any individual registered to study on any programme of study at the college.
- 2.7 Victimisation of any individual making a complaint under this Policy will not be tolerated and will be dealt with in accordance with staff or student disciplinary procedures
- 2.8 Sexual harassment constitutes serious misconduct and could result in dismissal (for employees) or expulsion (for students).

3. Expected Behaviour of Employees

- 3.1 The college believes that the professional relationship of trust and confidence that exists between students and employees is a central and essential part of a student's educational development and pastoral care. Those who work for, or represent, the college must not abuse their position in any way.
- 3.2 Employees of the college must not enter into an intimate relationship with any student of the college regardless of age. Any member of staff found doing so will be subject to disciplinary action under the staff code of conduct.
- 3.3 The Sexual Offences Act 2003 (Sections 16 to 21) prohibits sexual contact between a person and another person aged under 18 where such a relationship would be an abuse of a position of trust between the parties. This includes situations where the young person is attending an educational institution.

4 Expected Standards of Behaviour for Students

- 4.1 Sexual harassment by a student towards an employee and/or another student will be considered under the college's behaviour and sexual harassment policies and action taken under this Procedure may include expulsion from the college.

5 Reporting Channels

- 5.1 Any member of the college is encouraged to formally report cases of sexual harassment whether they are the recipient of the behaviour or are witness to it as soon as reasonably practicable to a college manager.
- 5.2 In consultation with both staff and students there will be an agreed reporting system that can be accessed electronically or in person depending on the preference of the individual making the report.

- 5.3 Recording of reports of sexual harassment by students will be tracked and completed on Unit E and CPOMs to ensure that SLT can monitor frequency of cases, type of concerns and individuals involved.

6 Reporting Channels for Employees

- 6.1 Employees should make a complaint to their line manager or HR Officer who can advise on how to proceed.
- 6.2 If an employee becomes aware of sexual harassment between a colleague and a student or another employee, advice should be sought from their line manager or HR Manager.
- 6.3 The HR Manager will keep and maintain records of any cases of sexual harassment reported by staff.
- 6.4 Sexual harassment can also give rise to situations where there is coercive or predatory behaviour. If intimate relationships arise between colleagues and any person has concerns about any predatory or coercive element to such relationship, they are encouraged to report or disclose this to their line manager, or other relevant senior manager, who is obliged to ensure that such reports are recorded. The senior manager will liaise with HR to determine whether to make arrangements for an investigation to be undertaken in accordance with the staff code of conduct.

7 Reporting Channels for Students

- 7.1 Any student complaint relating to sexual harassment, including witnessing such behaviour, should be made to their Faculty or Deputy Faculty Managers. If the complaint is made against a member of staff then the Faculty or Deputy Faculty Manager must report the complaint to the HR Manager

8 Investigations into Complaints or Allegations

- 8.1 Any investigations into allegations of sexual harassment by employees will be conducted under the college's investigation procedures. Investigations into allegations of sexual misconduct by students will be conducted under the behaviour and sexual harassment policies. Any complaints of this nature reported through the Trust complaints procedure will be investigated in line with Stage 2 of the procedure.
- 8.2 Sexual harassment may also lead to a criminal investigation being instigated into the actions of an employee or student. Where there are concerns that a criminal act has taken place, this must be reported to the Assistant Principals or Principal.
- 8.3 Confidentiality will be maintained, subject to any requirement to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the person making the report, or to others.

9. Support and Advice for Employees

- 9.1 There are many sources of support available to employees prior to making a complaint or to both complainant and alleged perpetrator once a complaint has been made. These include:
- Union representatives (for union members)
 - HR Manager

- Line managers
- Staff Counselling service

10. Support and Advice for Students

- 10.1 For students support is available via:
- Progress Tutor
 - Faculty and Deputy Faculty Managers
 - Alliance and other therapeutic services
 - Appropriate external agencies

11. Raising awareness of sexual harassment

- 11.1 Student consultations will take place (separate gender groups) to find out student viewpoint on inappropriate sexual behaviours, consent, reporting and recording mechanisms.
- 11.2 Staff training will be delivered regularly to maintain awareness of signs, concerns, reporting and recording.
- 11.3 Sessions on signs of sexual harassment, consent and reporting will also be delivered through the tutorial programme.
- 11.4 All of the above will be reviewed on a regular basis in line with government guidance and updates.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014224/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf

12. Related Policies

- 12.1 This Policy should be read in conjunction with the following college documents and policies:
- Safeguarding Policy
 - Behaviour Policy
 - Student Charter
 - Staff code of conduct
 - Trust complaints procedure

Review of Policy

The policy will be reviewed on an annual basis.

Date of Last Approval/Revision	September 2021
Review interval (years)	Every two (2) years
Approval/review body	Assistant Principal/Principal/SLT
Date of next review	September 2023
Public File location	College Website and SharePoint

Appendix one

Sexual Harassment Action Plan

OBJECTIVE	Action Plan	Person responsible	Date
1. Increase staff awareness of sexual abuse; outline the key differences between behaviours, how to recognise it	1.1 Source credible and validated training for staff on sexual harassment, its characteristics and the legal duty as outlined by Ofsted guidance.	DSL leads	December 2021
2. Raise awareness on sexual abuse among student body	2.1 Develop and deliver training on sexual abuse, harassment and violence against girls and women and other relevant genders Resources produced and shared to tackle peer on peer abuse through the pastoral system. 2.2 Tackle discussion and debates through student ambassadors and discussion groups. 2.3 Institute a well-structured sexual harassment programme through the tutorial programme 2.4 Consult on and distribute Sexual harassment policy to all student and staff 2.5 Outline the reporting and recording system through tutor programme.	Tutor Co-ordinator and DFMs	December 21
3. Establish a recording a reporting system	3.1 Provide an online form to complete and send to DSL 3.2 Sub-leads for DSL should be trained in conducting initial discussion with students. Depending on the seriousness, some cases will be escalated to DSLs in the first instance.	DSL leads	October 21

OBJECTIVE	Action Plan	Person responsible	Date
<p>4. Regular record-keeping and analysis of sexual harassment and sexual violence cases, including online, to identify patterns and intervene early to prevent abuse</p>	<p>4.1 Any cases logged on the colleges safeguarding portal (staff advantage / CPOMS-in the future), with a specific heading in which to monitor and track cases.</p> <p>4.2 Report to governors and SLT on termly basis</p> <p>4.3 External agencies informed where appropriate (early help, social services and the police)</p> <p>4.4 Offer of counselling and support through organizations such as SARCC, Eva Project, Victim Support and college counselling services.</p>	<p>DSL and FM/DFMs</p>	<p>February for first review (April and July thereafter)</p>