

Harassment and Sexual Misconduct Policy

Review

Formal Review Cycle	3 years (or earlier as required by changes to legislation or regulation)		
Latest Formal Review (date)	June 2025	Next Formal Review Due (date)	June 2028
Policy Owner	Vice Principal, Student Life and Stronger Communities		
Policy Author	Head of Corporate Governance & Policy and Strategic Lead for Safeguarding and Wellbeing		

Approvals

Board of Corp Y/N	N	Committee		Date Board approved	
LEG Y/N	Y	LEG date approved	09 June 2025	Additional committee	Vulnerable People

Publication

Website Y/N	Y	Unify Y/N	Y	Student VLE Y/N	Y	Other	Single Comprehensive Source of Information
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Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by
1.0	March 2025	New policy		

Harassment and Sexual Misconduct Policy

1. Policy Statement

- 1.1. This policy is a policy of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.
- 1.2. The College is committed to creating a working and learning environment free from sexual harassment, sexual misconduct and sexual violence so all members of the College community can enjoy the right to study, live, work and be respected for the contribution they make.
- 1.3. Sexual harassment and misconduct can be experienced by any individual, regardless of sex, gender, sexual orientation, relationship status, age, disability, faith, ethnicity, nationality or economic status. Experiences of sexual misconduct and violence may also intersect with other forms of harassment and discrimination.
- 1.4. Sexual harassment and sexual misconduct will not be tolerated and will be addressed. The College will listen to and take seriously all disclosures and reports of sexual harassment and sexual misconduct, supporting each person involved.

2. Scope

- 2.1. This policy applies to and is for the benefit of students, those undertaking apprenticeships, and staff of the College.
- 2.2. It covers incidents occurring during an individual’s period as student or staff at the College whether an incident occurs off the College premises, outside of normal teaching/working hours or via electronic means. This includes (but is not limited to) incidents that occur on trips, placements, award events, over text messages or chat platforms, or social media.
- 2.3. This policy does not cover incidents of non-sexual harassment. The College has separate policies (Anti-bullying Policy [students] and the Dignity at Work Policy [staff]) addressing this. Where sexual harassment and sexual misconduct intersect with other forms of discrimination, this Policy applies. This includes when disclosure occurs during another process such as a disciplinary or grievance procedure.
- 2.4. People working on a voluntary basis at the College and those who are contractors are expected to behave in a manner aligned with the principles of this Policy as is any person engaged with or representing the College.

3. Underpinning Principles and our commitment

- 3.1. The principles underpinning this Policy include but are not limited to:
 - We will always treat all members of our community with dignity and respect. It is expected that all members of our community will share in this responsibility for creating and sustaining an environment which upholds the dignity of all.
 - We will actively respond to all reports of harassment and sexual misconduct and, whilst recognising that some experiences may constitute a criminal offence, we will ensure that, in all cases, reports are carefully and thoughtfully addressed by relevant staff members through a

process that is transparent and clearly communicated to the individuals involved. We will respect the right of the individual disclosing an experience to choose how to take forward a Disclosure.

- We recognise the significant impact of all experiences of Sexual Misconduct and Violence, and acknowledge the potential detriment to studies and employment, regardless of when the experience occurred.
- We will not infringe upon any teaching staff's academic freedom or staff or student's right to freedom of speech under the law in the implementation of this Policy.

3.2. To establish a culture of respect and support, we will:

- Commit to providing a working environment where all members of the College feel safe and respected.
- Work to prevent harassment and sexual misconduct at the College.
- Commit to providing a supportive environment where students and staff feel confident and empowered to Disclose or Report.
- Support students and staff to report sexual misconduct to the College and to external organisations such as the Police.
- Respect the rights of the person disclosing to choose how to take forward a disclosure, including whether to make a formal report or report to external organisations such as the Police, Local Authority Designated Officer (LADO).
- Raise awareness of appropriate support organisations to aid the recovery of students and staff that have been affected by sexual misconduct.
- Ensure relevant staff are trained on how to receive and signpost a disclosure in an appropriate way.
- Ensure our students and staff have the tools to speak up and address inappropriate behaviour where it is safe to do so. We will do this by providing training, accessible online resources and clear methods for reporting.
- Work to prevent incidents through an educational approach, working with students and staff to understand harassment, sexual misconduct and consent.
- Ensure that reporting parties are responded to in a safe, supportive, non-judgmental and trusting environment.
- Work collaboratively with external organisations to address misconduct.
- Prioritise the safety and wellbeing and maintenance of the dignity of all involved in any investigation or disciplinary proceedings.
- Consult with the reporting party when considering any sanctions.

3.3. The College values diversity and inclusion and is committed to promoting equal opportunities and eliminating discrimination. Therefore, everyone will apply and administer this policy fairly and consistently to ensure that there is no discrimination on the grounds of age, disability, gender reassignment, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation, persons in care and care leavers, carers and care givers, young parents, youth offenders, and those receiving free school meals. In practice this means staff receiving reports or investigating behaviour are required to respect the age, beliefs, convictions and sexual orientation of others and not behave in ways which cause offence.

3.4. Definitions and Terminology

For purposes of this Policy:

- Harassment has the same definition as provided in the Equality Act 2010 and may be physical, written, verbal, non-verbal, online or via social media. It can be intentional or unintentional.
- Sexual misconduct is any act of violence or harassment which is sexual in nature or any kind of unwanted, non-consensual sexual touching or harassment within or outside a relationship. This may include rape, sexual assault, sexual exploitation or groping. It also covers behaviours such as grooming, coercion, the promise of a reward for sexual access and sexual demands or threats. It often arises where there is an imbalance of power in a relationship, and it violates the principle that the parties involved have given willing consent to the behaviours.
- Harassment, bullying and sexual misconduct might be a series of different behaviours, repeated forms of the same unwanted behaviour or a one-off incident. The following non-exhaustive list gives examples of behaviour that may also constitute harassment or bullying:
 - offensive or inappropriate comments, body language, jokes, innuendos or gestures
 - openly hostile, insulting, abusive or embarrassing comments or criticism persistently demeaning, ridiculing, excluding or isolating someone, threats to disclose, or disclosing, private or personal information, including photographs
 - comments, notes, publications or posts on social media that are derisory, disparaging, abusive, offensive or intimidating
 - knowingly addressing or referring to someone using a pronoun (for example, he or she) with which an individual does not identify
- Examples of sexual misconduct include:
 - sexually explicit remarks, innuendos or banter
 - sexual insults, jokes, teasing or songs
 - wolf whistling, cat calling or making other offensive sexual noises
 - offensive comments about someone's dress, appearance or private life, including their sexuality or gender identity
 - unwanted or inappropriate physical contact including touching, pinching, groping or smacking
 - unwanted requests to engage in or discuss sexual activity
 - lifting or removing clothing without consent
 - display or distribution of sexually explicit material.
- Disclosure: a disclosure is made when a person tells or shares with a member of the College community that they have experienced sexual harassment or sexual misconduct. This is different to a formal report or complaint.
- Report: a submission to the College in writing informing the College that the person has experienced sexual harassment or sexual misconduct and that the person who has made the complaint wishes for the College to take formal action. A Complaint allows the College to investigate the harassment or misconduct as set out in this Policy.
- Reporting Party: the Reporting Party is the person(s) who has made a formal Complaint under this Policy.
- Responding Party: the person(s) named in a formal Complaint who is alleged to have committed an act of sexual harassment or misconduct.

4. Expectations of all staff and students

- 4.1. The College is a welcoming community where everyone should feel they matter and belong. Everyone will be treated with dignity and respect and share in the responsibility for creating and maintaining an environment that upholds dignity for all.
- 4.2. When responding to a Disclosure, staff and students will listen, take the disclosure seriously and without judgment, be patient and open-minded, and respect the right for the disclosing party to decide whether to make a formal report or seek advice and support.
- 4.3. We expect staff and students to foster a culture of accountability, mutual respect and inclusivity and to speak out as appropriate.
- 4.4. The College recognises the professional boundaries necessary with a relationship of trust and confidence that exists between a student and a member of staff. Under our Child Protection and Safeguarding Policy, all staff have a duty of care to keep students safe and are accountable for the way in which they use their authority and position of trust. Intimate relationships between staff and students, no matter the age or level of study of the student, is prohibited.

5. Support

- 5.1. The College is committed to providing support to students and staff affected by harassment and sexual misconduct and to all staff and students involved in a formal process.
- 5.2. Where a student or staff member has experienced sexual misconduct within the last 7 days, we strongly encourage them to seek support without delay as there is a timeframe within which evidence can be gathered. Local sexual assault referral centres offer 24/7 support (Northumbria - [The Angel Centre – SARC](#); Teesside - [Teesside SARC – SARC](#)). Even when the experience of sexual misconduct is less recent you can still access the range of support the College provides.
- 5.3. Advice and support available to students includes:
 - Intensive Support Officers
 - Counselling team
 - Senior Mental Health Practitioners
 - [Kooth](#) – free, safe and anonymous online counselling and support
- 5.4. Advice and support available to staff includes:
 - P&OD Business Partners
 - Line managers
 - Staff counseling services within the Employee Assistance Programme
 - Union representatives (for union members)

6. Disclosing and Reporting

- 6.1. A disclosure occurs when a student or staff member communicates with someone in the College community about their experience of harassment or sexual misconduct. A disclosure can be made in person or via other means such as telephone or digital communication such as Teams or email.
- 6.2. No formal action against a particular student or member of staff will be taken about any matter disclosed; for formal action to be taken a formal report would need to be submitted.
- 6.3. Staff and students can make an anonymous report via [Safe to Say](#). When reporting anonymously the College will not be able to take any direct action or provide any further advice and support. The College

will use the information to better understand the issues within our community, to identify trends and shape our prevention and support provision.

6.4. Reporting channels for students

- Students wishing to report the conduct of another student can formally report to the College through the Safe to Say link.
- Students wishing to report the conduct of a member of staff can report through either [Safe to Say](#) or the Complaints Procedure.

6.5. Reporting channels for staff members

- Staff wishing to report the conduct of another staff member should report to their line manager or P&OD Business Partner who can advise on how to proceed or through [Safe to Say](#).
- Staff wishing to report the conduct of a student should contact Student Services by Safeguarding Officers.

6.6. Reports about the behaviour of a student will normally progress under the Behaviour for Success Policy

6.7. Reports about the behaviour of a member of staff will normally progress under the Dignity at Work procedure which could lead to the Disciplinary Procedure being invoked.

6.8. There is advice and guidance available to students and staff who receive disclosure of sexual misconduct from a student.

6.9. Where a staff member receives a disclosure from another staff member, they should contact Ally Young, Executive Director People and Organisational Development or Vikkie Morton, Vice Principal Student Life and Stronger Communities (Executive Safeguarding Lead).

7. Confidentiality

7.1. Maintaining confidentiality is essential to upholding the integrity of the disclosure and reporting process and to safeguarding the validity of the investigation process. Preserving confidentiality leads to a more robust and reliable investigation process allowing for a fair and unbiased examination of the evidence.

8. Responsibilities

8.1. The Chief Executive, Vice Principal Student Life and Stronger Communities and the Vice Principal Corporate Services are the strategic leaders who are responsible for the College's approach to addressing sexual misconduct.

8.2. Student Services, People and Organisational Development and the Quality Departments are responsible for the application of this and related policies and procedures.

8.3. All staff and students are responsible for understanding this policy and undertaking any learning opportunities provided to support its implementation.

9. Associated Documents

College Policies and Procedures:

- Child Protection and Safeguarding Policy
- Behaviour for Success Policy
- Guidance and procedures for responding to concerns about staff
- Staff Disciplinary Policy
- Dignity at Work Policy
- Concerns, Complaints and Appeals Policy
- Safer Recruitment Policy
- Public Interest Disclosure Policy
- Anti-bullying Policy
- Fitness to Practice Policy

- Fitness to Study Policy

Resources for further guidance:

- [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- <https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>
- [Working together to safeguard children – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Office for Students: Resources for higher education providers](https://www.gov.uk)
- [Child sexual exploitation: definition and guide for practitioners – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Sexual violence and sexual harassment between children in schools and colleges – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Sexual offence Act 2003](https://www.gov.uk)
- [Voyeurism Act 2019](https://www.gov.uk)
- [Domestic Abuse Act 2021](https://www.gov.uk)
- <https://www.rasamerseyside.org/>
- [When to call the police – NSPCC](https://www.nspcc.org.uk)
- [Relationships and sex education \(RSE\) and health education – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Teaching about relationships, sex and health – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Plan your relationships, sex and health curriculum – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Teacher training: respectful relationships – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Teacher training: internet safety and harms – GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [Teacher training: being safe – GOV.UK \(www.gov.uk\)](https://www.gov.uk)

10. Policy Monitoring and Review

- 10.1. This policy is informally reviewed regularly by the author to ensure continued compliance with legislation, regulation or guidance.
- 10.2. The number of staff and students undertaking training in support of this policy will be monitored.
- 10.3. The number of reports regarding harassment and sexual misconduct will be monitored.

11. Equality Impact Assessment

Have you sought consultation on this policy? Details:		HE Students across each campus were part of focus groups providing input into this Policy and the College's work to protect students from harassment and sexual misconduct.		
Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/Justification
Protected characteristics under the Equality Act 2010				
Age	N			
Disability	N			
Gender Reassignment	N			
Marriage and Civil Partnership	N			
Pregnancy and maternity	N			
Race	N			
Religion or belief	N			
Sex	N			
Sexual Orientation	N			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	N			
Young Carers & Care Givers	N			
Young Parents	N			
Youth Offenders	N			
Those Receiving Free School Meals	N			
If there is no impact, please explain:	The implementation of multiple ways in which a person can disclose, report and/or seek information and support results in an inclusive practice.			