



HARASSMENT & SEXUAL MISCONDUCT POLICY

Policy Version Number		SCL/HSMP/AUG2025/03
Member of Staff Responsible for Policy		Jonathan Omani
Record of Revisions to Policy		
Date	Details	Approved by
01 Aug 2025	Published	BoD
Date of Current Policy		01 Aug 2025
Policy Review Date		01 Aug 2026
Review to be approved by		BOD



HARASSMENT & SEXUAL MISCONDUCT POLICY

1. Introduction

1.1 Stratford College London (SCL) is committed and seeks to create and maintain an inclusive and safe environment for all stakeholders, and a respectful environment for staff, students, and all who need to use our facilities and premises. To enhance the creation of this environment, this policy reconciles the importance of freedom of speech and academic freedom, equality, and diversity, non-discrimination, protected characteristics and the College complaints and disciplinary procedures.

1.2 The College believes that equality, respect, and dignity are fundamental to the pursuit of teaching and learning, research, and engagement with communities. Upon the above mentioned belief, SCL views harassment and sexual misconduct as unacceptable and therefore occupies no place within our College.

1.3 This policy sets out SCL's approach to the prevention, reporting, and management of cases of harassment and sexual misconduct. The approach recognises the College's obligations under the Equality Act 2010, the protection from Harassment Act 1997 and other related legislation. The policy establishes our responsibility to ensure that immediate and meaningful actions are taken to prevent and manage any form of harassment and sexual misconduct of staff, students, or third partners. The policy applies, irrespective of place or time or manner of interaction by which the incident occurs.

1.4 Stratford College London will ensure a fair, confidential, and timely management of all reported cases and will provide support for all parties through the policy procedures. Recognition is hereby given to our whistleblowing policy as no person will be made to face intimidation or encounter retaliation as a result of reporting cases and concerns in an utmost good faith.

1.5 The policy calls on all staff and students to cooperate in ensuring that the policy achieves its purpose. Staff and students share responsibility for the creation of accountability and a culture of respect, equality, and non-discrimination. SCL aims to ensure that staff and students can work and study in a safe and respectful environment.

2. Purpose of this policy

2.1 SCL aims to establish an environment in which all are safe from harassment and sexual misconduct.

2.2 The policy outlines:

- i. Procedures for reporting cases related or constitute harassment and sexual misconduct
- ii. Support in place for students in cases of harassment and sexual misconduct
- iii. Handling of information received in relation to harassment and sexual misconduct,
- iv. Training activities towards enhancing understanding of harassment and sexual misconduct,

- v. Training to ensure staff with responsibility for handling cases acquire the knowledge and skills for handling reported cases,
- vi. Communication procedures on decision to parties in cases resolved or being addressed

2.3 It is hereby stressed that by this policy, nothing in any College contracts or agreements shall limit the expression of freedom of speech and academic freedom and any provision that seeks to restrict the disclosure of information or create a teaching and learning and work environment that instils fear in people to prevent disclosure of information or whistleblowing.

3. Key Legislation and Policies

- Equality Act 2010,
- The protection from Harassment Act 1997 and other related legislation
- Harassment and Sexual Misconduct Policy
- SCL Freedom of Speech Policy
- SCL Academic Freedom Policy
- SCL Equality and Diversity Policy
- SCL Complaints Policy and Procedure
- SCL Disciplinary Procedure
- SCL Staff Grievance Procedure

4. Key Definitions

4.1 Harassment

Unwanted conduct of a sexual nature or relating to a protected characteristic (listed below) which has the purpose or effect of

- Violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person
- OR Less favourable treatment as a result of the person either rejecting or submitting to harassing behaviour that is related to gender reassignment sex or of a sexual nature.

4.2 Where the conduct is of a sexual nature this is described as "**sexual harassment**".

4.3 Protected characteristics include: Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation.

4.4 Forms of Harassment

Harassment can take the form of individual behaviour, including:

- Face to face, either verbally or physically
- Through other forms of communication, including but not limited to written communications and communications via any form of electronic media or mobile communication device.
- Directly to the person concerned, or to a third party.

4.5 Examples of behaviour which may amount to harassment relating to a protected characteristic:

- Jokes, gestures or derogatory comments, for example, about a student's disability.
- Verbal and physical threats, intimidating, disparaging or insulting behaviour linked, for example, to gender reassignment, sex or sexual orientation.
- Assaulting someone, for example, targeting someone with violence because of their race, religion or gender reassignment.
- Posting offensive comments on electronic media, including using mobile devices, for example, sending memes that mock another student's religion directly to that student.
- Isolating someone from College-organised academic activities, for example, excluding another student from group work due to perceived religious, cultural, or gender differences.

4.6 Examples of behaviour which may amount to sexual harassment:

- Invading someone's space, for example, by standing unnecessarily close to them.
- Inappropriate body language, for example, looking or staring at them in a way that feels uncomfortable or intimidating.
- Sending unwanted sexual messages that are humiliating, insulting, abusive and/or intimidating. - Publishing, circulating or displaying pornographic or sexual images, or other sexual content.
- Making sexually explicit comments or innuendos, for example, about someone's body or appearance.
- Unwanted sexual advances and physical contact, for example, placing a hand on someone's thigh, lower back, or shoulder.

4.7 Harassment can also include being treated less favourably as a result of rejecting or submitting to harassing behaviour in relation to gender reassignment, sex or of a sexual nature. Examples of behaviour which may amount to harassment in this context:

Being excluded, criticised or ignored in group work as a result of rejecting or submitting to unwanted sexual advances.

4.8 Examples of behaviour which may amount to harassment under the Protection from Harassment Act:

- Sending a threatening message to more than one person.
- Repeatedly sending someone threats of violence or harm.
- Repeatedly shouting at, insulting, disparaging or intimidating a person.
- Repeatedly sending graphic content, for example, sending violent or hateful images, to someone.

4.9 Stalking

Stalking is a form of harassment and may be characterised by any of the following repeated and unwanted behaviours that cause distress or fear in a person:

- Following or watching someone, in person or online.
- Making calls, or sending messages or emails. Loitering in any place, for example, waiting outside someone's residence, classroom or study area without a legitimate reason, in order to watch or approach them.
- Publishing statements or sharing personal details without consent.
- Watching or spying on a person including through the use of CCTV or electronic surveillance. o Interfering with someone's property, for example, repeatedly tampering with or hiding their belongings.

5. Sexual Misconduct and Consent

5.1 Sexual misconduct is defined as any unwanted conduct of a sexual nature.

Sexual misconduct occurs where:

- Consent was not given, and
- The person accused of sexual misconduct did not reasonably believe that consent had been given.

5.2 What is consent?

5.2.1 Consent is the agreement to engage in an activity, by choice, and with the freedom and capacity to make that choice.

5.2.2 A person cannot consent if:

- They are incapacitated, and unable to make a decision and communicate that decision. This may be due to, for example, the influence of drink, drugs, age or disability.
- They are not in a position to make a choice freely and without constraint in all the circumstances (e.g., because of threat or coercion).
- They are incapacitated or unable to make a choice freely because they have been given a substance without their knowledge or agreement.
- They are asleep or otherwise unconscious.

6. Key Policy Statements

6.1 Intimate relationships between staff and students who are either below 18 years or adults at risk are strongly prohibited

6.2 Pre-existing relationships must be declared. This will enable SCL to assess if there could be any conflict of interest

6.3 All staff/student relationships must be declared

6.4 Close personal or intimate relationships between staff and students are strongly discouraged

7. Our Policies and Reporting Procedure

7.1 To enhance effectiveness of our reporting procedure, SLC has created a portal for reporting cases of harassment and sexual misconduct and hate crime, although College students and staff cases may be presented through the College complaints procedure. This portal is a dedicated channel through which staff and students can disclose cases of harassment and sexual misconduct or suspicious harassment and sexual misconduct. The **Concern and Support portal** offers an option to report anonymously and/or request to speak with our trained College support team. Members of the student support team will explain the options available in a confidential manner and provide help to access appropriate support so as to make an informed decision in terms of the next step.

7.2. The College **Concern and Support portal** is created to serve as the first point of contact. Staff and students are encouraged to make use of it in cases of suspected cases of harassment and sexual misconduct. The **Concern and Support portal** is created to encourage case reporting, timely access to trained student support advisors, and enable the College to monitor and

respond to reported cases or disclosures in an effective way. Staff and students are advised to make use of this portal as the first point of contact. However, where one does not wish to use the portal, the College Complaints Procedure may be used to raise a concern. It is, however, advisable that staff and students make use of the **Concern and Support portal** wherever possible in order to access specialist support and guidance.

8. Support for Students to Identify, Challenge and Avoid Harassment

8.1 For the purpose of achieving the aim of preventing and addressing concerns on suspicious cases of harassment, SCL is committed to support students to be aware of what constitutes harassment and sexual misconduct, its various forms, the meaning of consent, and steps to take when one feels or suspects something is not right.

8.2. Training activities to support all students will be rolled out from September 2025 in the first week of the new term via smart screen technology. The training activities will cover key aspects of harassment and sexual misconduct, providing information on the policy, consent, sexual misconduct and its various forms, freedom of speech, hate crime, safeguarding, the SCL **Concern and Support portal**, whistleblowing, complaints procedure, and rape culture. This will also provide information on how to contribute as an active bystander and provide support for others. The goal is to enhance student awareness of harassment and sexual misconduct, reporting cases or suspicions or consents, and that students will become more confident to speak against harassment and support others.

8.3. The College will carry out an anonymous survey at the end of a training activity in order to gather student feedback to help assess effectiveness of this policy in order to make revisions where necessary.

8.4 Staff Training

8.4.1 This is mandatory and will be rolled out in the month of August in line with the OFS timeline for implementing institutional-level policy and procedure on harassment and sexual misconduct. The training will be provided face-to-face in the month of August 2025 and will cover the following:

- i. Report and Support Portal
- ii. Reporting Procedure
- iii. Freedom of Speech
- iv. Equality Policy
- v. Protected Characteristics
- vi. Whistleblowing
- vii. Safeguarding
- viii. Appropriate Support
- ix. Excluded Relationships
- x. Ban on Intimate Personal Relationships
- xi. Bystander training
- xii. College Disciplinary Procedures

- xiii. Introduction to Harassment and Sexual Misconduct
- xiv. Responding to Disclosures

8.4.2 The College will ensure that the above training activities are delivered by persons with credible and demonstrable expertise in line with their SCL free speech obligations.

8.5 Staff and students are advised to make use of the SCL ***Concern and Support portal*** when disclosing cases or suspicions of harassment and sexual misconduct. This may be done anonymously or by requesting to meet with or speak to a member of the SCL Student Support Team in confidence. Staff members may opt to speak to an advisor on harassment in a confidential manner and in line with the SCL Freedom of Speech obligations.

8.6. No restrictive conditions or clauses shall be provided in any College rules or policy in relation to disclosure on harassment and sexual misconduct.

8.7. Support for students facing allegations shall be made available in line with this policy. In such cases, students shall be assigned a named staff contact for support. Support is also available through the ***Concern and Support portal***. This includes resources to support those accused of sexual misconduct. Support may also be sought from the SCL Student Personal Advisor.

9. How we investigate harassment and sexual misconduct.

9.1. Students: Investigation of allegations or concerns raised against students shall be conducted in line with SCL student behaviour policy and disciplinary procedures. Investigations shall be carried out in line with the College's freedom of speech obligations, ensuring all parties have the full protection from harm, discrimination, or fear of retaliation.

9.2. Staff: Investigations of allegations and concerns levelled against staff shall be conducted in line with the College staff misbehaviour and staff disciplinary procedures, ensuring that the College's freedom of speech obligations are adhered to in order to assure full College protection of all parties from harm or fear of retaliation.

9.3. The investigatory stages will involve specialist support targeted at the needs of students who are the actual or alleged perpetrators of incidents of harassment and or sexual misconduct, including but not limited to during any investigating and decision-making process.

9.4. In addition, students who have alleged and or experienced sexual misconduct shall be signposted to sources of specialist personal support such as counselling or to a sexual assault referral centre where appropriate.

9.5. The SCL student support team shall provide advice and support where appropriate or signpost affected students to external specialist support or to a sexual assault referral centre where appropriate.

9.6. SCL will ensure that support is provided at all times as appropriate, for example, before any formal investigation, for the duration of an investigation, and following its outcome. Furthermore, students who have alleged and or experienced harassment or sexual misconduct, witnesses and or alleged or actual perpetrators, shall be signposted to the College's relevant academic support, such as the College's exceptional circumstances for support with assessment. This is important in order to ensure continued academic engagement of any student involved in investigation or a disciplinary or similar process where a student wishes to continue studying. The above forms of support shall be made available to students who have alleged and or experienced harassment or sexual misconduct, whether or not they decide to make a formal report about an incident.

9.7. Whether the alleged incident occurred on the College premises or not, support shall be made available to students who have alleged and or experienced harassment and sexual misconduct.

10. Handling information

In all matters related to reporting, investigating, and addressing incidents of harassment and or sexual misconduct, SCL shall comply with this policy as a single source of information. The College shall ensure that information is handled sensitively and used fairly in practice.

10.1. Information shall be collected sensitively and treated with appropriate confidentiality, whether in person or online.

10.2. Information shall be handled on the basis set out in data protection legislation.

10.3. Students shall be informed to understand how information they disclose may be used, for example, during a disciplinary process for a student or a member of staff.

11. Investigatory and Disciplinary Processes

11.1 SCL shall ensure at all times that all qualifying formal complaints are investigated in a fair and proper manner. The College will endeavour to carry out investigations as sensitively and as quickly as reasonably possible.

11.2. A complainant making a formal complaint will be made aware of who is handling the matter and advised of the stage and progress.

11.3. The process shall respect the right to natural justice (including the right of response to allegations) of any person accused of harassment and/or sexual misconduct during in the application of this policy and procedure.

11.4. The standard of proof applied under the College's disciplinary and related procedures is that of the balance of probabilities. This means that for any disciplinary action to be taken, any investigation of an incident under this policy must conclude, based on the evidence considered,

that it is more likely than not that the alleged harassment and/or sexual misconduct happened.

11.5. Good faith: The protection provided for those making a complaint shall be on the grounds that the complaint is made without malice, and that the person making the complaint reasonably believes that they have experienced or witnessed or feel they have experienced or witnessed harassment and/or sexual misconduct.

12. Complaints where the reported party is a member of staff

12.1. In cases where the reported party or the reporting party are members of staff who have experienced or feel they have experienced harassment and/or sexual misconduct, complaints will be addressed under the SCL's Grievance Procedure. Under the Grievance Procedure, where the Stage 1 reviewer finds that there is sufficient evidence to suggest that there is a case to answer, proceedings may be initiated under the SCL's Disciplinary Procedure.

12.2. Where the reported party is a member of staff, and the reporting party is a student or third party, the Director of Studies will consider what action should reasonably be taken in relation to your complaint. Complaints requiring formal investigation will be considered under the College's Disciplinary Procedure.

13. Complaints where the reported party is a student

13.1. Where the reported party is a student, complaints will be investigated under the College's Student Disciplinary Procedure.

14. Complaints where the reported party is a third party

Where the reported party is a third party, complaints will be investigated by the Director of Studies. The Director of Studies will determine what action should reasonably be taken to prevent, and protect staff and students from, third-party harassment and/or sexual misconduct. Such actions may include but are not limited to banning the third party from College premises, and reporting criminal acts to the police.

14.1. In cases where the College recognises that its own investigations run concurrently with criminal, police or other relevant legal investigations or proceedings, it may take precautionary action to limit a responding party's interaction with the College pending the conclusion of any internal and/or external proceedings or investigations. Such precautionary action may include, but not be limited to, suspension or exclusion from the College or any part thereof.

14.2 Any such precautionary actions are not a sanction or penalty or indicator of judgement of guilt but rather precautionary actions will be taken to protect individuals, the College community, the College's property or the College's reputation.

15. Irrespective of the outcome of external investigations or proceedings, SCL may still take disciplinary action independently under its relevant processes or procedures as referenced above in section.