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**East Lancashire Learning Group University Centre  
Single Comprehensive Source of Information on  
Harassment and Sexual Misconduct**

**Document Version: V1.1**

**Date Approved: 18<sup>th</sup> July 2025**

**Next Review Date: [ 18<sup>th</sup> July 2026]**

**Publication: East Lancashire Learning Group  
websites, Staff Hub**

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**Summary of Changes**

<b>Version Number</b>	<b>Changes</b>
V1.0 (01/08/2025)	Original Publication
V1.1 (08/09/2025)	Updated Brand name (Previously Nelson and Colne College, now East Lancashire Learning Group)

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# 1. Introduction and Purpose

This document sets out the East Lancashire Learning Group's policies and procedures on subject matter relating to incidents of harassment and/or sexual misconduct which affect one or more students on all Higher Education (HE) courses.

Our vision of “building stronger communities and creating high quality routes into high-value professional and technical careers” is delivered by our phenomenal people who demonstrate the Group's values, including ensuring a safe, supportive, healthy, secure, welcoming and inclusive environment for students and staff alike. We are committed to maintaining standards of behaviour and performance in line with our values, policies, and procedures. The College aims to achieve this through **consistency of approach and positive strategies to prevent unacceptable behaviours before they happen**, rather than solely dealing with them after the event. This includes **actively teaching our students behaviours that they can transfer to their next steps in life, education and work**.

The aim of this comprehensive source of information is to help and encourage employees and students to achieve and maintain the required standards of conduct, provide a means of dealing with alleged failures to comply, ensure consistent and fair treatment, and clarify rights and responsibilities. This policy is aligned with current employment law and adheres to the [ACAS Code of Practice: Disciplinary and Grievance Procedures](#), as well as meeting the requirements of the [Office for Students E6 Condition of Registration](#).

This document serves as the Single Comprehensive Source of Information as required by paragraph E6.2 of the E6 Condition of Registration, providing a clear summary of key information and linking to additional, comprehensive documents that are easily accessible to students for further relevant detail.

## 2. Scope

This condition covers subject matter relating to incidents of harassment and/or sexual misconduct which affect one or more students, including the conduct of staff towards students and the conduct of students towards students.

It applies specifically to students on higher education courses provided in any manner or form by, or on behalf of, the provider. This includes, but is not limited to, research courses, modules, micro-credentials, apprenticeships, delivered face-to-face, by distance learning, or blended. It covers students registered with the provider, taught by the provider, or studying for an award of the provider, including UK-based and non-UK-based students and courses delivered through partnership arrangements.

Where the provider is the awarding body for a course, this condition applies even if the provider has no other role in design or delivery.

Where the provider delivers or allows another provider to deliver a course, this condition applies regardless of the awarding body. It is possible for more than one registered provider to be responsible for compliance in relation to the same students.

This policy generally covers all members of staff employed by East Lancashire Learning Group. This policy also extends to managers, staff, contractors, agency staff and anyone else engaged to work at the College. The [External Speaker/Guest Policy](#) covers external individuals or organisations invited to speak to students and/or staff.

Where specific requirements apply to certain groups, such as legal safeguarding obligations for under-18s and 'adults at risk', or additional requirements for students on regulated/accredited courses or postgraduate students with research/funding body obligations, these are taken into account.

For the purposes of condition E6 and this document:

- 'Abuse of power' means a situation where a relevant staff member exploits a position of power in relation to a student so as to apply pressure in a way which may result in the student doing something, or refraining from doing something, that they may not have otherwise done. Examples include promising better grades or introductions for career advancement.
- 'Appropriate support' means the effective deployment of assistance, including but not limited to:
  - i. support targeted at the needs of students involved in any way in an incident of harassment and/or sexual misconduct, including but not limited to during an investigatory and decision-making process;
  - ii. personal support, including in the form of counselling where appropriate;
  - iii. academic support, including in relation to decisions about attendance, continuation, suspension or cessation of study.
- 'Appropriately informed to ensure understanding' (for students) includes ensuring students understand the content of this source of information when they register each

year and that induction sessions for new students contain training on behaviour that may constitute harassment and/or sexual misconduct.

- ‘Appropriately trained’ (for staff) means staff have and maintain up-to-date understanding of this source of information and all the requirements of the E6 condition.
- ‘Single Comprehensive Source of Information’ means a single document or webpage setting out all required information, or a single document/webpage with a clear summary and links to additional comprehensive documents.
- ‘Content principles’ require that any additional information does not contradict, undermine, or conflict with minimum content requirements and includes a provision stating minimum content requirements take precedence. Information on similar subject matter in other documents must not contradict, undermine, or conflict with the minimum content requirements.
- ‘Event’ is any event, presentation, visit, activity or initiative organised by a student group, individual or staff member held on College premises or via remote learning.
- ‘Excluded relationships’ means any ongoing intimate personal relationship that existed before this condition came into force or before the staff member became a relevant staff member in relation to that student.
- ‘External speaker or guest’ is any individual or organisation not a student or college staff member or contracted partner who has been invited to speak to learners and/or staff. This includes students or staff from other institutions.
- ‘Freedom of speech principles’ include having particular regard to the importance of freedom of speech within the law, academic freedom, and tolerance for controversial views in an educational context. There is a rebuttable presumption that exposing students to course materials or statements/views in teaching/research/discussion is unlikely to amount to harassment.
- ‘Harassment’ has the meaning given in section 26 of the Equality Act 2010 and section 1 of the Protection from Harassment Act 1997 (interpreted by section 7 of that Act). This includes ‘objective’ and ‘reasonableness’ tests based on the perception of the person receiving the conduct, other circumstances, and whether it is reasonable for the conduct to have the effect of violating dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment. This condition extends the definition to student-on-student harassment. Online conduct should be included in policies.
- ‘Incident of harassment and/or sexual misconduct’ includes allegations, complaints, suspected behaviour, and formal findings. This means it includes instances where a formal complaint is not made or there is insufficient evidence for disciplinary proceedings.
- ‘Intimate personal relationship’ includes emotional intimacy and physical intimacy, regardless of whether the relationship includes sexual activity. Emotional intimacy should not prevent passionate engagement, but providers should be aware it can be formed through grooming behaviours.

- ‘Minimum content requirements’ mean comprehensive and easy-to-understand provisions on: multiple steps to protect students (including reducing likelihood of incidents); how to report; how information is handled sensitively and fairly; how investigations/decisions are credible/fair/reflect natural justice; and how affected persons are informed.
- ‘Prominence principles’ mean this source is published in a prominent position on the provider’s website, easily accessible without a password, with a clear statement about its existence, content, and access. Awareness should be raised with students and staff.
- ‘Relevant staff member’ is any member of staff, employed or contracted, who has direct academic responsibilities (teaching, supervision, assessment) or other direct professional responsibilities (pastoral support, mental health advisers, student complaint processes, security personnel) for a student. Cleaning or catering staff would not normally be captured by this definition unless they have direct professional responsibilities. An individual who is both a student and a staff member at the College (e.g., a research student tutoring undergraduates) can also be considered a relevant staff member if they hold direct academic or professional responsibility for another student.

### 3. Our Commitment and Values

We are committed to providing a safe, supportive, healthy, secure, welcoming and inclusive environment for staff and students alike. Our values guide our behaviour and expectations. We aim to ensure standards of behaviour are maintained in accordance with our organisational values. Staff should display integrity, honesty and impartiality in all dealings and work at all times within the spirit of the College's values. This includes creating a safe environment for our students, ensuring staff are protected and our workplace is free from sexual harassment. The College outlines these expectations clearly in its Staff Code of Conduct, which all staff are required to read and understand. Key aspects of this Code, relevant to student safety and conduct, are detailed within this document. We promote a culture where everyone is responsible for creating a safe and positive learning environment free of bullying, threat, harassment and intimidation.

The **Respect Charter** is a fundamental part of this commitment, with the **aim to maintain a respectful, safe, and positive environment for everyone in all aspects of College life**. This includes a **zero tolerance for swearing, racism, derogatory comments, bullying, and sexual harassment**. The College believes that consistent application of clear expectations is vital, ensuring that **everyone is aware that no matter who the member of staff or where you are, the same rules and expectations apply**.

## 4. Steps to Protect Students from Harassment and Sexual Misconduct

The College undertakes multiple steps that, individually or in combination, make a significant and credible difference in protecting students from behaviour that may amount to harassment and/or sexual misconduct and reduce the likelihood of such incidents.

These steps include:

- **Fostering a Culture of Respect (The Respect Charter)** The College's **Respect Charter** sets out **clear expectations** for all members of staff and all learners to create and maintain an exemplary learning environment. This approach uses **positive strategies to prevent unacceptable behaviours**. Key expectations, known as "**The Super 6**," are actively taught and reinforced across the College:
  - **Wearing ID badges at all times:** This ensures everyone is identifiable and helps maintain a safe and secure environment for all learners and staff.
  - **Mobile phones to be away in sessions:** Students are expected to keep mobile phones in their bags or pockets, only using them if directed by teachers. This promotes professional behaviours and focuses on learning, acknowledging research on distractions.
  - **Punctuality/Arriving before sessions start:** Students are expected to arrive before sessions begin. The College educates students on the impact of lateness on themselves, teachers, and other learners, linking it to preparation for the workplace.
  - **Taking hats and coats off in sessions:** This reinforces readiness to learn and professional behaviours.
  - **Use of appropriate language (no swearing or derogatory comments):** The College has a **zero tolerance for swearing, racism, derogatory comments, bullying, and sexual harassment**. Staff are instructed to swiftly intervene and challenge any inappropriate language or comments to address misconceptions and misunderstanding, as not challenging such behaviour condones it.
  - **No shouting out or interrupting others:** This encourages respectful contributions and highlights the impact on individual and collective learning. Staff employ positive discipline strategies and 1:1 conversations to reinforce these behaviours, explaining the reasons and consequences of actions, and encouraging students to take ownership of their learning and behaviours. The principle of "**You Promote what you Permit**" guides staff in consistent and swift intervention.
- **Mandatory Training:** Mandatory training is delivered for all students, which may include bystander training for potential witnesses and training on sexual consent. Induction sessions for new students contain training to ensure they understand behaviour that may constitute harassment and/or sexual misconduct, with active teaching on expectations and the reasons behind them. The College actively supports students' participation in training. Mandatory specialist training is delivered for staff likely to be

involved in receiving disclosures, undertaking investigations, and making decisions. Mandatory training on freedom of speech principles is delivered to staff. Training is underpinned by credible evidence and evaluated.

- **Policy Development:** The College considers the potential needs of different groups of students, including those with needs affected by protected characteristics, for example, by working with students and their representatives when developing policies and procedures. We undertake credible and evidence-based evaluation of the effectiveness of the steps we are taking. Where necessary, data on cases are collected, monitored and internally publishes data to be analysed to inform potential effective action that could be taken to protect students from behaviour that may amount to harassment and/or sexual misconduct.
- **Managing External Speakers:** We have procedures in place to manage external and guest speaker requests to ensure the safety of students, staff, and visitors and enable positive interaction, preventing inadvertent support or funding of extremist views. This includes conducting research into speakers, considering their reputation, potential for unlawful language, and any associated risks. A staff member must supervise external speakers present with students, as per the [External Speaker/Guest Policy](#).
- **Non-Disclosure Agreements (NDAs):** The College considers how to best prevent the use, enforcement, and/or reliance on NDAs in matters relating to harassment and/or sexual misconduct by third parties, such as placement providers. We are prohibited from including any restricting provisions in any contract formed or varied on or after 1 September 2024 that would prevent or restrict any student from disclosing information about an allegation of harassment and/or sexual misconduct which involves or affects one or more students.
- **Creating a Safe Environment:** We are committed to ensuring a safe environment for all. This is supported by related policies such as the [Safeguarding Children and Vulnerable Adults Policy](#) and the [Student Bullying and Harassment Policy](#). Staff are expected to maintain effective and professional relationships with colleagues in line with the Staff Code of Conduct, contributing to a safe environment for all students. This commitment extends to addressing **inappropriate online conduct** by staff and students, as outlined in the College's Social Media Policy.
- **Managing Online Conduct (Social Media Policy):** The College's Social Media Policy sets principles for staff use of social media, both personally and for Group purposes, to manage organisational risks and ensure acceptable behaviour that upholds the College's reputation. **When communicating, whether in a professional or personal capacity, within or outside the workplace, staff must not conduct themselves inappropriately.** Examples of inappropriate online conduct include:
  - Engaging in activities that have the potential to bring the College into disrepute.
  - Breaching confidentiality by disclosing privileged, sensitive, and/or confidential information.
  - Making comments that could be considered bullying, harassing, or discriminatory against any individual, including remarks which may constitute unlawful discrimination, harassment, and/or victimisation.

- Posting inappropriate comments, images, photographs, and/or video clips about colleagues or ex-colleagues, **students or ex-students**, parents or clients.
- Publishing defamatory and/or knowingly false material about the College, other staff or students.
- Using offensive, derogatory, or intimidating language which may damage working relationships.
- **Blurring the boundaries of professional and personal life.** Breaches of this policy, including inappropriate conduct or excessive personal use of social media, will be dealt with in accordance with the Group's Disciplinary Policy. This applies even if the conduct takes place on a personal account with privacy settings, outside normal working hours, and/or without using College systems or networks.
- **Capacity and Resources:** The College has the capacity and resources necessary to facilitate compliance with condition E6, including financial resources, staff expertise/experience, and resources for investigations and decisions. More capacity and resources are deployed if prevalence rates of harassment/sexual misconduct are higher. This includes providing help and support or a mentor to staff to develop their classroom management and behaviour strategies.

## 5. Intimate Personal Relationships between Relevant Staff and Students

In addition to other requirements, the College ensures that this comprehensive source of information provides for steps which could make a significant and credible difference in protecting students from any actual or potential conflict of interest and/or abuse of power arising from intimate personal relationships between relevant staff members and students. This is important as abuse of power can take place within such relationships.

### **College Policy on Intimate Personal Relationships between Relevant Staff and Students**

The East Lancashire Learning Group is committed to fostering a safe, supportive, healthy, secure, welcoming, and inclusive environment for all students and staff alike. Our commitment extends to maintaining the highest standards of behaviour and professional conduct, particularly concerning relationships between staff and students, given the inherent power dynamics.

**Prohibition of Intimate Personal Relationships** The College strictly prohibits all intimate personal relationships between staff and students. This prohibition is a core component of the College's approach to protecting students from potential conflicts of interest and/or abuse of power. This stance is considered a significant and credible step in safeguarding students.

1. **Definition of Intimate Personal Relationship** For the purposes of this policy, an 'intimate personal relationship' means a relationship that involves one or more of the following elements: physical intimacy, including isolated or repeated sexual activity; or romantic or emotional intimacy. It is important to note that while emotional intimacy should not prevent compassionate and professional engagement, the College is aware that it can be formed through grooming behaviours, which could result in or constitute an abuse of power.

Furthermore, to ensure professional boundaries are maintained and to prevent abuse of a member of staff's position of trust, **staff must not accept and/or invite the following individuals to connect on personal social media platforms:**

- **Students**, including vulnerable students who are adults or children.
  - **Ex-students under the age of 18.**
  - **Parents/guardians/carers/wards of students under the age of 18. Pursuing personal relationships with any students or ex-students who are under 18 or vulnerable adults** is specifically identified as an example of inappropriate conduct within the College's policies. Staff wishing to use social media for educational purposes should set up official 'pages' that students can 'like' for information sharing, rather than personal accounts.
2. **Definition of Intimate Personal Relationship** For the purposes of this policy, an 'intimate personal relationship' means a relationship that involves one or more of the following elements: physical intimacy, including isolated or repeated sexual activity; or romantic or emotional intimacy. It is important to note that while emotional intimacy should not prevent compassionate and professional engagement, the College is aware

that it can be formed through grooming behaviours, which could result in or constitute an abuse of power.

3. **Definition of Relevant Staff Member** A 'relevant staff member' is defined as any member of staff, whether employed or contracted by the College, who has direct academic responsibilities or other direct professional responsibilities in relation to a student. This includes, but is not limited to, staff with:
  - Direct academic responsibilities: such as teaching staff (e.g., lecturers or graduate teaching assistants), dissertation or project supervisors for taught postgraduate students or research students, and staff involved in assessment.
  - Other direct professional responsibilities: this captures staff with a direct professional or pastoral responsibility for a student, including personal tutors, pastoral support staff, mental health advisers, staff operating student complaint processes, and security personnel. Cleaning or catering staff would not normally be captured by this definition unless they have direct professional responsibilities for a student. An individual who is both a student and a staff member at the College (e.g., a research student tutoring undergraduates) can also be considered a relevant staff member if they hold direct academic or professional responsibility for another student.
4. **Rationale for the Policy** Staff members are in a position of power and influence when working with students. This position must not be exploited for personal advantage or gratification, and appropriate professional boundaries must be maintained at all times. The prohibition is in place to protect students from any actual or potential conflict of interest and/or abuse of power that can arise within such relationships. This is particularly critical because mature students could also be seen as vulnerable in a college setting, and to avoid any confusion, relationships with them are also precluded.
5. **Handling of Pre-Existing Relationships (Excluded Relationships)** Should an intimate personal relationship of any nature already exist when either the staff member or student joins the College (e.g., where the parent of an existing student becomes a member of staff), it is the responsibility of the staff member to declare their involvement to their line manager and to Human Resources. Such pre-existing relationships are considered 'excluded relationships' and are treated differently under the E6 Condition. For these relationships, steps will be taken to manage any actual or potential conflicts of interest and/or abuse of power, which may include amending the staff member's responsibilities to ensure the student involved is not disadvantaged. The College's policies also ensure that professional, pastoral, or academic interactions within appropriate professional boundaries are not prohibited.
6. **Consequences of Policy Breach: Disciplinary Action Against Staff** Failure to comply with this policy, particularly engaging in a prohibited sexual relationship, could result in disciplinary action against the staff member. This disciplinary action will be handled in line with the College's Disciplinary Policy, which outlines a structured process to ensure fairness and consistency for all staff. For students, this means that if you raise a concern about a staff member's conduct that breaches this policy, the College will investigate and, if warranted, take formal disciplinary steps against the staff member.

In cases involving students under 18 years of age, such relationships are also illegal under the Sexual Offences Act 2003 and would be deemed to constitute gross misconduct. Gross misconduct offences, such as dishonesty, theft, fraud, malicious damage, deliberate falsification of College documents, bribery, gross insolence, gross carelessness risking serious consequences to health and safety (of staff or students), email or internet abuse, deliberately divulging confidential information, being under the influence of alcohol or illegal substances at work, violent/dangerous/intimidatory conduct, serious breach of safeguarding policies, sexual/racial/other harassment of a staff member or student, or a serious criminal offence (on or off duty) that adversely affects the College's reputation or the staff member's suitability for their role, can lead to summary dismissal (dismissal without notice) of the staff member involved.

7. **Broader Professional Boundaries and Conduct** Beyond intimate relationships, staff are expected to maintain professional boundaries in all interactions with students. This includes, but is not limited to:
  - Exercising professional judgment regarding any physical contact, ensuring it is appropriate to the student's need, age, development stage, ethnicity, and background, and is of limited duration.
  - Not disclosing their home address, personal home telephone number, or mobile telephone number to students.
  - Not transporting students in personal vehicles; college vehicles should be used in line with College policies.
  - Not lending students money or providing them with food; students with welfare needs should be signposted to Student Services for appropriate assistance.
  - Refraining from behaviour that is inconsistent with the Staff Code of Conduct, such as being over-friendly with students or using inappropriate physical contact, which may be treated as low-level concerns and addressed.
  - **Avoiding blurring the boundaries of professional and personal life, particularly in online interactions.**
8. **Reporting and Support for Students** The College ensures that students can report behaviour that may amount to harassment and/or sexual misconduct, including that which occurs within relationships with staff members. Students are encouraged to come forward and are assured that they will not be penalised by the College for participating in a relationship with a relevant staff member, and they will be protected from retaliation by the staff member if they report harassment or sexual misconduct. Clear information is published about various reporting mechanisms, including in-person and online options. Appropriate support is provided to students who wish to make allegations or complaints, who have experienced incidents, or who are actual or alleged perpetrators.
9. **Overarching Commitment** The College's policies are designed to uphold a culture where integrity, honesty, and impartiality are demonstrated in all dealings, and to ensure a safe and positive learning environment free from bullying, threat, harassment, and intimidation for everyone. All staff are required to read and understand the

expectations of the Staff Code of Conduct, which forms part of this comprehensive approach to safeguarding.

## 6. How to Report Incidents of Harassment and/or Sexual Misconduct

Students, staff, and other persons are able to report behaviour that may amount to harassment and/or sexual misconduct to the provider. Clear information is published about where and how a report can be made. Reports can be made through a range of different mechanisms, including in person and online. Reports can be accepted from third parties, for example, third party reporting centres. Any mechanisms supporting anonymous reporting are implemented and explained to students and staff in a way consistent with the freedom of speech principles in condition E6 to ensure that they do not have, and do not risk having, a negative effect on freedom of speech. The College aims to remove unnecessary barriers to reporting.

### Specific Reporting Pathways for Students:

- **Safeguarding Team:** As per the [Safeguarding Children and Vulnerable Adults Policy and Procedures](#), Hate Incidents should be referred to the safeguarding team. Staff with a concern about a child's or vulnerable adult's welfare should follow college referral processes. If a member of the Safeguarding and Welfare Team is not immediately available, you should contact the Designated/Deputy Safeguarding Lead (DSL) or any member of the senior leadership team, including the Principal.
- **Children's Social Care/Adult Services:** If college staff cannot be contacted, staff should contact [Lancashire County Council Children's Social Care Team or Adult and Community Care Services](#).
- **Low-Level Concerns involving staff conduct:** Concerns about staff behaviour that do not meet the formal 'allegation threshold' but are inconsistent with the Staff Code of Conduct should be reported. Such behaviour includes being over-friendly with students, taking photographs of students on personal mobile phones/devices, using inappropriate sexualized, intimidating or offensive language, or inappropriate physical contact. These concerns, even if seemingly small or causing a sense of unease, are important to share to ensure a culture of openness and prevent more serious issues. They are recorded by the HR Director in consultation with the Designated Safeguarding Lead (DSL) and are explored with the staff member concerned with a view to addressing unprofessional behaviour and supporting correction at an early stage. This approach helps to identify concerning behaviour early and minimize risks, promoting a safe student environment without always requiring formal disciplinary action.
- **Formal Whistleblowing:** While primarily a mechanism for staff, the [Whistleblowing Policy](#) allows staff to formally raise serious concerns about malpractice, including poor or unsafe practice, financial irregularity, or potential failures in the College's Safeguarding processes. If a student's concern about staff conduct or systemic issues within the College aligns with these criteria, a staff member may choose to raise it through this formal pathway. The policy is published on the College websites, ensuring transparency about this avenue for serious reports. Concerns expressed anonymously will be considered at the discretion of the College, though providing details strengthens the investigation.

- **Working Together Policy (for staff conflicts impacting students):** This policy primarily addresses staff-on-staff harassment and bullying. If you, as a student, witness or are affected by such interactions between staff that create an unsafe or inappropriate learning environment, you should report it to the Safeguarding Team or a trusted staff member. The College will address staff conduct that impacts the student environment in line with its internal procedures. While the detailed process of the Working Together Policy is for staff members to resolve disputes amongst themselves, the College commits to ensuring that the resolution of such conflicts supports a positive and safe environment for students.

## 7. How Information Received or Obtained is Handled

Information received or obtained in connection with incidents of harassment and/or sexual misconduct is handled sensitively and used fairly.

- Information is collected sensitively and treated with appropriate confidentiality, irrespective of the reporting mechanism. Staff responding to reports of sexual harassment/violence should not promise confidentiality at the initial stage, as information may need to be shared with the DSL or children's social care to determine next steps. Information should only be shared with those necessary to progress the report.
- Information is handled on the basis set out in data protection legislation, including the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).
- **Students understand how information they disclose may be used**, for example, during a disciplinary process for a student or a member of staff. This includes understanding that the **College's internet software monitors all websites visited by staff** on College computers and devices, or personal devices connected to the college Wi-Fi network, and therefore staff should have **no expectation of privacy** when it comes to the sites they access from these connections. Staff are personally responsible for adjusting privacy settings for their personal social media accounts, and anything posted on social media sites could be produced as evidence.
- Staff must handle data sensitively and comply with GDPR. Information about students and their families must be kept confidential and only shared when legally permissible, in line with policies, and in the student's interest (e.g., required disclosure). This information must never be used for personal gain, to intimidate, humiliate, or embarrass the student. Data should only be accessed/used for work purposes.
- Information sharing protocols are adopted in line with local and national guidance. Information sharing is vital in identifying and tackling abuse, neglect, and exploitation, and promoting welfare. The DSL should understand the importance of information sharing internally and with other agencies/partners.
- **Record Keeping:** All concerns, discussions, decisions, and reasons are recorded centrally on Pro-monitor for student cases. Harassment cases involving sexual harassment/violence, harmful sexual behaviour, hate crime, or hate incidents are recorded via the Level two confidential comments section on Promonitor. Low-level concerns are recorded in writing. Records will be kept confidential and held securely. Staff notes on reports should record the facts as the child presents them and not reflect personal opinion. The DSL should keep detailed, accurate, secure written records of concerns and referrals. Safeguarding records for children are retained.

**Online elements:** Where a report includes an online element, staff should be aware of guidance on searching, screening, and confiscation and sexting advice. The key consideration is for staff not to view or forward illegal images of a child.

## 8. Investigation and Decision-Making Process

The College ensures that investigations undertaken and decisions made in respect of incidents of harassment and/or sexual misconduct are credible, fair, and otherwise reflect established principles of natural justice

This section provides key details for students to understand how the College investigates and makes decisions, particularly when your concerns involve staff members. These processes are designed to be fair to all parties while ensuring student safety.

- **General Principles:** No disciplinary action will be taken against an employee until a full investigation is undertaken. Employees will be advised of the nature of the alleged misconduct and given opportunity to state their case. Investigations should be free from any reasonable perception of bias. Staff have no investigative role in child and vulnerable adult protection; this is for police and social care services.
- **Investigation (Disciplinary/Student Cases):** When an allegation is made against a staff member, an investigation will be undertaken. An Investigating Officer unconnected to the alleged misconduct is appointed, normally a member of the College Leadership Team. The nature and extent of the investigation depend on seriousness. An investigatory meeting may be held, confined to establishing facts.
- **Responding to Reports:** The College's initial response to a report from a student is important; victims are reassured, supported, and kept safe. Staff should listen empathetically and take concerns seriously. A strategy to deal with the incident will be negotiated, taking into account the college duty of care. Where possible, two members of staff will be present (preferably DSL or deputy).
- **Disciplinary Hearing (for staff):** If the investigation deems formal disciplinary action necessary for a staff member, they will be invited to a disciplinary hearing. They will receive information 5 working days prior, including date, time, location, outline of alleged conduct, evidence, witness statements, and specification if potential gross misconduct. Staff must take all reasonable steps to attend. If unable due to illness, advice sought from Occupational Health Advisor. If they fail to attend without good reason, the hearing may proceed in their absence. Documents they wish to be considered should be given to HR Business Partners in advance (usually 2 days). A hearing will take place before any formal disciplinary sanction is imposed. A panel comprises a member of Senior Leadership and HR for advice/notes. An investigating/presenting officer attends to present management's case. The Chair determines procedure, maintains order, and may question or adjourn. The Chair introduces parties, outlines procedure, and repeats allegations. Presenting Officer outlines the case, witnesses are questioned by parties and Presenting Officer. The staff member/representative presents their defence, and witnesses are questioned by parties and defence representative. Summaries are presented. Parties withdraw for decision. The Chair recalls parties to inform them of the decision.
- Investigation (for formal complaints under other policies relevant to staff conduct):
  - For formal complaints of harassment/bullying involving staff (covered by the Working Together Policy): HR logs the complaint, and a Senior Leader

investigates. The Senior Leader meets with the complainant to clarify allegations and gather details. The alleged harasser/bully is notified and met with to state their side. Relevant witnesses may be met with. A written report stating whether complaints are upheld and reasons is produced.

- For staff concerns raised via the [Whistleblowing Policy](#): HR coordinates the investigation. An investigating officer is appointed (usually initial recipient). The officer meets with the staff member raising the issue to clarify details. Investigations are thorough and, where possible, confidential. If a student's concern leads to a staff whistleblowing report, the College ensures this internal process is followed to address serious malpractice, including failures in safeguarding, that could impact students.
- **Suspension (of staff):** Suspension may be considered during the investigation for serious alleged offences justifying immediate removal of a staff member. Suspension is a precautionary measure, not an assumption of guilt or a disciplinary sanction. Circumstances where suspension may be considered include reasonable grounds to believe the employee might tamper with evidence, influence witnesses, or where working relationships have severely broken down creating risk, or if the employee is subject to criminal proceedings affecting their job. Suspension requires careful consideration. Staff remain on full pay. The period is kept brief and reviewed regularly. HR updates the staff member on progress. Alternative working arrangements may be considered instead of suspension. During suspension, the staff member must return keys/passes/ID, be supervised on premises, must not contact College staff except their union rep (or with prior approval for case specifics), and should not come to work unless arranged. Management considerations during suspension include computer passwords, informing colleagues/security (without detail of allegations), instructing staff not to contact the suspended member without approval, and advising staff not to discuss case details if social contact occurs. Suspension overrides sick pay. This information ensures students understand the steps the College takes to manage staff who are subject to serious allegations that might affect the learning environment or safety. This information ensures students understand the steps the College takes to manage staff who are subject to serious allegations that might affect the learning environment or safety.
- **Timescales:** Unless exceptional circumstances occur, time limits are adhered to. Disciplinary investigation report findings are presented to the hearing. The outcome of disciplinary hearing are communicated in writing as soon as a decision is made, where possible within 24 hours, but the Chair of the hearing may request an extension. Written confirmation follows. A Working Together investigation report will normally be produced within 10 working days of initial meeting with complainant, or as soon as possible thereafter. A Whistleblowing investigation report is normally aimed to be produced within 10 working days of the initial meeting, or as soon as possible thereafter.
- **Outcomes:** If an acceptable explanation is given for conduct, no further action will be taken. If a complaint is upheld under the Working Together policy, prompt action shall be taken to stop the behaviour and prevent recurrence. Formal disciplinary action may be pursued, or alternative actions like advice, guidance, training, counselling, or mediation may be explored. The aim is to repair the working relationship. Whistleblowing investigation outcomes can lead to action, or findings of no case, or

malicious disclosure. Disciplinary outcomes include written confirmation of misconduct nature, improvement period/expectations, penalty, consequences of further misconduct, and appeals process.

- **Stages:** Disciplinary action can be instigated at any stage, for example, summary dismissal. Minor problems may be dealt with informally first

## 9. Informing Persons Directly Affected by Decisions

The College ensures that persons directly affected by any decisions made in respect of incidents of harassment and/or sexual misconduct (including those who have alleged and/or experienced incidents, witnesses, and actual or alleged perpetrators) are directly informed about the decisions and the reasons for them.

Information provided includes the nature of the misconduct, any period for improvement and what is expected, the disciplinary penalty and how long it lasts, the likely consequences of further misconduct, and the appeals process. Information about identifying relevant parties and what information will be shared, and when, is clear and accessible.

If a complaint under the Working Together policy, concerning staff-on-staff conduct, is upheld and disciplinary action is pursued against another party, the staff complainant will be advised of this, but will not be entitled to specific details of the hearing or action taken. Students who have reported matters leading to such staff investigations will be informed of outcomes relevant to their safety and learning environment, without disclosing confidential staff HR details.

## 10. Appeals

This section outlines the appeal processes available within the College. For students, this covers appeals related to student bullying and harassment. For incidents involving staff, this also clarifies the internal appeals process for staff members, ensuring transparency about how staff are held accountable and how disciplinary matters related to student concerns are finalised.

- **Appeals Against Disciplinary Sanctions (for staff):** An employee has the right to appeal against any formal disciplinary sanction imposed. If they wish to appeal against a formal written warning or a final written warning, they should inform the HR Manager within 5 working days of the decision date. The appeal is heard by a member of the Senior Leadership Team not previously involved, with HR present for advice/notes. The hearing is arranged no later than 10 working days after notice of appeal. The disciplinary penalty is reviewed but would not be increased unless new evidence comes to light. The outcome is notified in writing within 5 working days of the hearing and the decision is final and binding.
- **Appeals Against Dismissal (for staff):** If a staff member wishes to appeal against dismissal or notice of dismissal, they should inform the HR Manager within 5 working days of the decision date. The appeal is heard by the Principal with HR present and normally takes place no later than 10 working days after notice of appeal. They will be given at least 5 working days' notice of the hearing. They will be given the opportunity to state their case and are entitled to be accompanied. The decision is notified or confirmed in writing within 5 working days of the hearing and is final and binding. If reinstated after dismissal for Gross Misconduct or dismissal with notice, they are entitled to terms and conditions they would have received had they not been dismissed.
- **Appeals Against Suspension (of staff):** If a staff member is suspended for four weeks or more, they may request the HR office to review the suspension. This review concerns the reasonableness of the suspension, not the disciplinary matter. A status check on the suspension and investigation progress is undertaken. The outcome is advised in writing within 10 working days of lodging the appeal.
- **Appeals in Student Bullying and Harassment:** If a student is dissatisfied with the outcome of a complaint or how it was handled, they may appeal using the college [Complaints Policy](#). For formal complaints under the **Working Together Policy** (when relevant due to staff conduct affecting your environment), if the staff complainant believes the decision is unfair or the investigation flawed, they may appeal in writing to HR outlining their reasons. The appeal is considered by the Principal or Deputy Principal. A meeting will explore the reasons for dissatisfaction and possible resolutions. A written reply is provided within 5 working days of the meeting (or ASAP). The appeal outcomes are that the decision is upheld, overturned, or the complaint is found false/malicious (potentially leading to disciplinary action against the complainant). The appeal is the final stage.
- **Appeals in Whistleblowing (for staff):** If a staff member is not satisfied with the results of the investigation regarding their whistleblowing report, they may submit an appeal in writing to HR within 5 working days of receiving the report. An appeal is undertaken by a more senior manager not previously involved. The officer meets with the staff member

to explore dissatisfaction reasons and resolutions. A report is supplied within 5 working days of the appeal meeting (or ASAP). Outcomes are that the original decision is upheld or overturned. If the matter remains unresolved after the internal procedure, there is a right of access to an appropriate external body. While this is a staff process, its inclusion here demonstrates the College's commitment to robust internal oversight for serious staff concerns that may originate from, or relate to, student-facing issues.

## 11. Appropriate Support Available

The College is committed to providing **appropriate support** to students when they wish to make allegations or complaints, have alleged and/or experienced harassment or sexual misconduct, or are actual or alleged perpetrators. This support is provided regardless of whether the College considers that the incident meets objective tests. The College may deliver its own support services, commission support from other organisations, or make appropriate and effective referrals to other service providers.

For the purposes of this condition, '**appropriate support**' means the effective deployment of assistance, including but not limited to:

- **Support targeted at the needs of students** involved in any way in an incident of harassment and/or sexual misconduct, including but not limited to during an investigatory and decision-making process. This encompasses support tailored for students who have alleged and/or experienced incidents, as well as for actual or alleged perpetrators.
- **Personal support**, including in the form of counselling where appropriate. Students who have alleged and/or experienced sexual misconduct are **signposted to sources of specialist personal support**, such as counselling or to a Sexual Assault Referral Centre, where appropriate.
- **Academic support**, including in relation to decisions about attendance, continuation, suspension, or cessation of study. This also includes signposting students to the College's relevant academic support, such as processes for extensions, extenuating circumstances or support with assessment. It may be appropriate to **make changes to academic and/or assessment arrangements** for a student who has alleged and/or experienced harassment or sexual misconduct, an alleged perpetrator, or a witness, during or following such a process.
- **Support is available to, and appropriate for, students with different needs**, including those with needs affected by a student's protected characteristics.
- **Support is provided at all relevant times as appropriate**, for example, before any formal investigation, for the duration of an investigation, and following its outcome. This includes for students who have alleged and/or experienced harassment or sexual misconduct, actual or alleged perpetrators, and witnesses.
- **Support for continued academic engagement** of any student involved in an investigation, or a disciplinary or similar process, where a student wishes to continue studying.
- **Support is 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.
- **Support is available to students who have alleged and/or experienced harassment or sexual misconduct, whether or not the incident has occurred on a provider's premises or in connection with a student's registration.**

To ensure effective student support, the College also provides **support and advice for staff** on welfare, safeguarding, and child protection matters, equipping them with the required

knowledge and skills to support students. This includes support for staff to understand how safeguarding, welfare, and educational outcomes are linked. Staff involved in investigations are also supported to help maintain a stable and effective learning environment conducive to student well-being.

## 12. Training and Awareness

The College ensures that students are appropriately informed to ensure understanding of policies and behaviour that may constitute harassment or sexual misconduct. We also ensure staff are appropriately trained.

- **Student Training:** Mandatory training is delivered for all students, including bystander training and training on sexual consent. Induction sessions for new students contain training to ensure they understand behaviour that may constitute harassment and/or sexual misconduct. This training actively teaches students the College's expectations, outlining the reasons for rules and their impact on individuals and the wider community, connecting them to professional behaviours for their future.
- **Staff Training:** Mandatory specialist training is delivered for staff likely to be involved in receiving disclosures, undertaking investigations, and making decisions. This training includes specific guidance on **classroom management and behaviour strategies**, with ongoing support and mentorship available to staff. Mandatory training in relation to the freedom of speech principles is delivered. Training ensures staff have a clear understanding of relevant policies and procedures, resulting in appropriate practical application. Staff training should ensure that relevant staff have a proper understanding of relevant free speech rights and responsibilities and all the requirements of condition E6. Training is underpinned by credible evidence and its effectiveness is evaluated. Training is designed and delivered by persons with credible and demonstrable expertise. Training is consistent with the provider's free speech obligations. All staff receive appropriate safeguarding and child protection training which is regularly updated, including online safety. Key Adults for Operation Encompass must be trained as DSL or Deputy. All staff should be aware of local early help and social care referral processes. Staff are required to read and understand the expectations of the Staff Code of Conduct to ensure their conduct supports a safe student environment and adheres to professional boundaries, including **appropriate professional boundaries and conduct in online interactions**.
- Policies are provided to staff at induction.

## 13. Freedom of Speech Principles

The College complies with the requirements of condition E6 in a manner which is consistent with the freedom of speech principles. The College have particular regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom, and tolerance for controversial views in an educational context. This includes premises and situations where educational services, events, and debates take place. The [External Speaker policy](#) expects conduct to ensure freedom of speech is confined within the law and considers the potential for speakers to express contentious, inflammatory, or offensive views, giving due regard to planning.

The College applies a rebuttable presumption that exposing students to course materials (books, videos, etc.) and statements/views expressed as part of teaching, research, or discussions connected with course content is unlikely to amount to harassment. Freedom of speech obligations are not considered a barrier to creating or applying policies for conduct that may amount to harassment unless such policies could reasonably be considered to have the object or effect of restricting freedom of speech within the law and/or academic freedom.

## 14. Non-Disclosure Agreements (NDAs)

The College is prohibited from including any restricting provisions in any contract formed or varied on or after 1 September 2024 that would prevent or restrict any student from disclosing information about an allegation of harassment and/or sexual misconduct which involves or affects one or more students. This means NDAs that forbid students from talking about such incidents are banned, as is any enforcement of existing NDAs. While this provision does not apply to other persons, the College considers wider requirements of this condition when applying such restrictions to staff or others.

## 15. Capacity and Resources

The College has the capacity and resources necessary to facilitate compliance with condition E6. This includes the financial resources, the number, expertise, and experience of staff, and the resources deployed for investigations and decisions. A provider with higher prevalence rates of harassment and/or sexual misconduct is expected to have and deploy more capacity and resources. The College may determine its approach to ensuring capacity, for example, by sharing services, but remains responsible for compliance.

## 16. Monitoring and Review

This policy is subject to annual review, at least once every calendar year and its associated procedures are subject to regular review. For example, the **Disciplinary Policy, Staff Code of Conduct**, and **Whistleblowing Policy** are reviewed on a three-year cycle. The **External Speaker Policy** is reviewed every three years. The **Safeguarding Children and Vulnerable Adults Policy** is reviewed annually and reported to the Governing Body.

Policies are reviewed in line with changes to legislation and professional body recommendations to ensure they are up to date and relevant and will also be reviewed in response to changing circumstances, such as an increase in relevant complaints by students. Such reviews are informed by data analysis regarding the prevalence and reporting rates of harassment and sexual misconduct.

## 17. Relationship with Other Policies and Documents

This document serves as the Single Comprehensive Source of Information for harassment and sexual misconduct affecting students. It aligns with and is supported by other College policies and procedures, which address related matters more broadly or provide specific procedural detail.

Other relevant policies which provide further detail on related matters, and where appropriate, are student-facing, include:

- **Disciplinary Policy:** This policy details the formal procedures for addressing staff misconduct, including investigation, hearings, and sanctions for breaches of professional conduct or intimate relationship policies that affect students. While primarily a staff-facing document, key aspects of how staff conduct impacting students leads to disciplinary action are summarized in this Single Comprehensive Source of Information to provide full understanding for students without needing to access staff-only policies.
- [Safeguarding Children and Vulnerable Adults Policy and Procedures](#)
- **Staff Code of Conduct:** This policy sets out the expected behaviours and professional standards for all staff members, particularly concerning their interactions with students and the maintenance of a safe and respectful environment. Relevant principles from this staff-facing document are integrated and comprehensively described within this Single Comprehensive Source of Information to ensure students understand expected staff conduct and how it contributes to their safety.
- [Student Disciplinary Policy](#)
- [Student Bullying and Harassment Policy](#)
- [Whistleblowing Policy](#)
- **Working Together Policy:** This policy addresses staff-on-staff bullying and harassment, and outlines internal processes for resolving workplace conflicts. While primarily a staff-focused policy, its principles contribute to maintaining a safe and professional environment for students, and the College addresses staff conduct that might impact students' learning environment under this framework, as explained within this Single Comprehensive Source of Information.
- [Acceptable Use of IT Policy](#)
- [E-Safety Policy](#)
- [Health and Safety Policy](#)
- [Equality Diversity and Inclusion Policy](#)
- [Visitor Policy](#)
- **Social Media Policy:** This policy sets out comprehensive principles and guidelines for staff use of social media, both for College purposes and personal use, to ensure professional boundaries, prevent inappropriate conduct, and uphold the College's reputation. It directly addresses online conduct that could amount to harassment or

sexual misconduct, and the prohibition of staff-student connections on personal social media platforms.

- **Respect Charter Guidance Booklet:** This document provides detailed guidance and strategies for staff on establishing and reinforcing the College's "Super 6" behavioural expectations, fostering a positive and respectful college culture, and proactively preventing unacceptable behaviours including bullying and harassment.

While other documents may contain information about harassment and/or sexual misconduct, this single comprehensive source is authoritative. Any additional information within this source or information on similar subject matter in other documents does not contradict, undermine, or conflict with the minimum content requirements set out here, and where applicable, it is expressly clear that the minimum content requirements take precedence.

## 18. Accessibility and Transparency

This Single Comprehensive Source of Information is published in a prominent position on the College's website(s), easily accessible by students and those considering applying, without requiring a password or security check. It is also accessible to staff on the Staff Hub and via Human Resources, on request.

A clear and easy-to-understand statement about the existence of this source, its content, and how to access it is made available. Awareness is raised with students and staff through direct communication and references in other documents like programme handbooks.

Historical versions of this document and its linked policies are available for an appropriate period to allow users to identify previous versions and understand changes. Transparency about changes is maintained. Historical versions are accessible for as long as relevant to a student, for example, for the duration of an investigatory process or for complaints after leaving their course. The information is downloadable.

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