



# Sexual Harassment Policy for Students

V2 Summer 25

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# Sexual Harassment Policy

## 1. Policy Statement

- Nescot is committed to creating a **safe educational and working environment** free from sexual harassment. Sexual harassment is illegal and is against our values of dignity and respect. This policy works as a part of Nescot's safeguarding measures.
- Drawing on the requirements of the Worker Protection (Amendment of Equality Act 2010) Act 2023, effective from 26th October 2024, Nescot is also committed to **proactively preventing sexual harassment** in its workplaces and college environment. This includes taking "reasonable steps" to prevent harassment from occurring, not just responding after the fact.
- The latest version of this policy is on the Nescot Website, a single comprehensive source of information detailing policies and procedure related to Harassment and Sexual Misconduct (HSM). Historical copies can be obtained by contacting the Quality office (quality@nescot.ac.uk).

## 2. Scope

- This policy outlines what and who the policy covers. It **applies to all students - including those on Further, Higher Education or Part Time courses** on college premises or engaged in college activities, including distance learning. It covers harassment **by or against any of these categories of people**, including incidents of harassment and sexual misconduct affecting students, including student-staff and student-student interactions. It covers all higher education courses provided by or on behalf of a provider, including those where the provider is only responsible for granting awards.
- The policy covers online interactions and conduct outside the classroom, ensuring alignment with related policies such as those for IT use.

## 3. Objectives

- Through this policy, Nescot aims to:
  - **Prevent sexual harassment** within the college environment.
  - Create a **safe educational and working environments** for all members of the college community.
  - Uphold the college's values of **dignity and respect**.
  - **Proactively prevent** sexual harassment from occurring, as required by the new duty effective from 26th October 2024.
  - Identify and implement "**reasonable steps**" to prevent sexual harassment.
  - Provide **clear definitions** of unacceptable behaviour.
  - Establish **accessible and safe reporting systems** for students.
  - Ensure all reports are treated seriously, promptly, and confidentially.
  - Outline clear **investigation procedures** and **consequences** for harassment.
  - Ensure **protection from retaliation** for those reporting or participating in investigations.
  - Promote awareness through **the tutorial system**.
  - Monitor and evaluate the effectiveness of prevention measures and this policy.
  - Build a **culture of respect** where everyone feels safe.

## 4. Definition of Sexual Harassment or misconduct

Sexual harassment includes any unwanted conduct of a sexual nature. This can include:

- Unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature.
- Sexual jokes, innuendos, gestures or teasing.
- Display of sexual images or pornography.
- Spreading sexual rumours about a person.
- Touching, hugging, massaging without consent.
- Repeatedly asking someone out who has said no.
- Stalking
- Using freedom of speech to intimidate or create a hostile environment
- Abuses of power

## 5. Sexual harassment and academic freedom

While the College upholds the fundamental principles of freedom of speech, academic freedom, and tolerance for diverse and controversial viewpoints in educational discourse, including during educational services, events, and debates, these rights must be exercised within the boundaries of the law and in a manner that does not constitute sexual harassment or create an intimidating, hostile, or offensive environment for members of the College community.

Students may be exposed to books, videos, sound recordings, pictures and other materials that may challenge views around gender and sexuality during their studies. This may also include statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of an education course. Unless this content breaches UK legislation, it is not likely to be considered harassment.

## 6. Preventing Sexual Harassment.

The college takes steps to prevent harassment before it happens, not just respond to it after the fact:

- **A ban on intimate personal relationships between students and staff.**
- **Creation of clear reporting systems** which are easy and safe for students
  - Students: [Reporting Unwanted Attention or Harassment](#)
  - QR codes are displayed across college for staff and students to report, in name or anonymously. Any reports of sexual harassment will be treated seriously and acted upon promptly.
  - Alternatively, students can speak to their tutor or someone in the Safeguarding and Wellbeing Team. All student reports added to CPOMS.
- **Updating existing policies** such as those for disciplinary actions, IT use, and safeguarding, to align with this policy and cover online interactions and conduct.
- **Regular awareness training in tutorials.** Training covers what harassment is, why it's harmful, and the importance of reporting.

- **Regular Review:** Incidents are regularly reviewed and training and policies updated based on what is effective.

## 7. Investigation Procedures

Formal complaints will trigger a prompt investigation led by a manager. Investigations will be objective, sensitive, credible, fair, transparent and as confidential as possible. Both parties will have a full chance to give their account. The college may suspend respondents pending investigation if appropriate. Investigations will result in a written report with conclusions on whether harassment occurred, and investigators will recommend appropriate corrective action to senior management. The college will inform all relevant parties of the decisions and the reasons behind them in writing.

## 8. Consequences of Sexual Harassment.

If harassment is established, Nescot will take action designed to stop the harassment, prevent recurrence, and remedy any effects. Students who are found to have committed harassment will be subject to the college disciplinary policy, including the possibility of being excluded from the college, depending on the circumstances. The college may involve the police if criminal activities are involved.

Staff members are prohibited from having a close personal relationship with any student, this goes against the Staff Code of Conduct and is considered as gross misconduct in the Staff Disciplinary Procedure.

## 9. Support for victims

Victims of sexual harassment will be offered support from the Safeguarding and Wellbeing Team. Should a student need specialised support, such as professional counselling, they will be signposted to external services.

Academic support will be provided by curriculum teams, in relation to decisions about attendance, arrangements for temporary remote learning, continuation, suspension or cessation of studies.

## 10. Protection from Retaliation

Retaliation against anyone who reports or participates in an investigation is prohibited. Any such retaliation should also be reported and will result in disciplinary action

## 11. Training and Awareness

Nescot will provide regular harassment awareness training for staff, and sexual harassment awareness training for key stakeholders. Harassment Awareness training will be included in the Tutorial programme for students. The policy will be highlighted during student and new staff orientation. Posters and leaflets will help maintain awareness. Consistent training is a key "reasonable step" for prevention.

## 12. Monitoring and Evaluation

Nescot will regularly monitor harassment incident reports as part of the safeguarding reporting updates. The college will survey students to assess policy effectiveness. The policy will be reviewed annually and updated as needed. Tracking incidents and updating training/policies is part of the regular review process.

### 13. Support from the EHRC

The Equalities and Human Rights Commission (EHRC) will provide updated guidance for schools and colleges on how to meet this new duty, including best practices for preventing harassment. The EHRC can also investigate institutions they believe aren't meeting the new standards, underscoring the importance of making prevention a priority. Nescot will consider guidance from the EHRC when reviewing and updating this policy and its prevention measures.

### 14. Responsibilities

- **All staff and students** have a responsibility to help ensure a harassment-free environment. Anyone who witnesses or experiences potential harassment should **report it promptly**.
- **Managers** have a duty to act on harassment reports and ensure no retaliation against those reporting it.
- College **Leadership and Management** are responsible for implementing and overseeing the "reasonable steps" required by the new duty, including assessing the situation, establishing reporting systems, revamping policies, ensuring policy alignment, providing consistent training, and conducting regular reviews.
- The **Safeguarding Team, Tutors, and HR** are key contacts for receiving reports and initiating appropriate procedure

### 15. Related legislation and documents

- Worker Protection (Amendment of Equality Act 2010) Act 20235
- Equality Act 2010
- Nescot Safeguarding Policy
- Nescot Staff Code of Conduct
- Nescot Disciplinary Policy (for staff and students)
- Nescot IT Acceptable Use Policy
- Relevant EHRC guidance on preventing sexual harassment (when available)

## 16. Approval and Review

Policy Originator:	Assistant Principal, Student Experience and Learning Support
Approved by:	Senior Leadership Team
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