



# **BULLYING, HARASSMENT AND SEXUAL MISCONDUCT POLICY 2023-24**

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BULLYING, HARASSMENT AND SEXUAL MISCONDUCT POLICY		
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Steph Cramphorn, BA	Principal/CEO, Senior Leadership Team	
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<b>Summary/Description:</b>		
<p>This document outlines the college's commitment to creating an environment free from harassment and where all those working, studying or visiting the College understand their role and responsibilities in achieving that aim and understanding where they can access support.</p> <p><b>2023-24 v1</b></p> <p>July 23:  Major Change approved by Governance Committee:</p> <ul style="list-style-type: none"> <li>• New 8.9.1 regarding relationships between staff and students</li> <li>• New 7.11 definition of Intimate Personal Relationships – referred to in new 8.9.1</li> </ul> <p>Minor Changes approved by Governance Committee:</p> <ul style="list-style-type: none"> <li>• Deletion of 8.9.1 to bring it in line with changes to Student Discipline Policy</li> <li>• Improved wording at: 7.7; 8.9.2 (bullet no. 11); 9.3</li> <li>• Corrected typos and grammar and made changes in current nomenclature</li> </ul>		

# **ALL NATIONS CHRISTIAN COLLEGE**

To train and equip men and women for effective participation in God's mission  
to His multicultural world.

## **BULLYING, HARASSMENT AND SEXUAL MISCONDUCT POLICY**

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### **2. INTRODUCTION**

- 2.1** All Nations Christian College does not tolerate any form of harassment, bullying, victimisation or sexual misconduct and expects all members of the College community, its visitors and contractors, to treat each other with respect, courtesy and consideration.
- 2.2** The College is committed to fostering a caring, Christian culture which promotes equality, values, diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the College community are respected.
- 2.3** This policy has been informed by consultation with student representatives.

### **3. LEGISLATIVE AND GUIDANCE FRAMEWORK**

This policy has been developed in accordance with the following laws and regulations. This list is not exhaustive:

- UK New Quality Code for Higher Education – Concerns, Complaints and Appeals
- Open University Handbook for Validated Awards
- The Good Practice Framework: Handling Student Complaints and Academic Appeals by the Office of the Independent Adjudicator December 2016
- Data Protection Act 2018 and the UK GDPR
- Equality Act 2010
- Sexual Offences Act 2003
- Voyeurism Act 2019
- Domestic Abuse Act 2021

- Protection from Harassment Act 1997
- Counter-Terrorism and Security Act 2015
- Office for Students Expectations on HSM

#### **4. AIMS**

The aims of the College as reflected in this policy are to:

- Promote a positive environment in which people are treated fairly and with respect;
- Make it clear that harassment and victimisation are unacceptable and that all members of the College have a role to play in creating an environment free from harassment;
- Provide a framework of support for staff and students who feel they have been subject to harassment or victimisation; and
- Provide a mechanism by which concerns raised can wherever possible be addressed in a timely way.

#### **5. COMMITMENT:**

The College is committed to:

- 5.1** Being a community in which equality of opportunity is a reality for all students and staff, whether temporary, short term, part-time, full-time or distance learners. Its mission and values motivate the College to create a positive environment in which all staff and students are respected, provided with development and progression opportunities and can make the most of their abilities.
- 5.2** Fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the College community and its visitors are respected and where individual differences and the contributions of all staff and students are recognised and valued. The College celebrates and encourages diversity in all areas of the College community since it makes such a positive contribution to the learning experience at All Nations.
- 5.3** Identifying and eliminating unfair or unlawful discrimination of all those with whom we interact. No member of, or applicant to, the College will receive unfair or unlawful treatment due to the Equality Act 2010 protected characteristics of disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race (including colour, ethnic/national origin or nationality), religion or belief, sex (gender) and sexual orientation, nor face unwarranted discrimination on the grounds of age.
- 5.4** Creating a working and learning environment free of harassment, bullying, victimisation and unlawful discrimination and expecting all members of the College community, (students, staff, volunteers, contractors) and its visitors (guests, enquirers, conference users, contractors or any others) to treat each other with respect, courtesy and consideration at all times.
- 5.5** Taking seriously formal concerns of harassment, bullying, victimisation and unlawful discrimination by all members of the College community, (students, staff, volunteers, contractors) and its visitors (guests, enquirers, conference users, contractors or any others) in the course of the College's activities.
- 5.6** Opposing all forms of unlawful discrimination among our workforce, including: in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.
- 5.7** Ensuring that, whilst seeking to fulfil this policy, it will take into account the need to protect freedom of lawful speech and expression as per its [Freedom of Expression and Academic Freedom Policy](#).

## 6. IMPLEMENTATION:

The College will therefore:

- 6.1 Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the College.
- 6.2 Make decisions concerning student and staff recruitment and/or employment based on merit. (NB There are some necessary and limited exemptions and exceptions to this which are allowed under the Equality Act 2010. E.g. the 'positive action' provision whereby a job or place may be offered to a person of a minority background when there are two candidates equally suitable for the same position).
- 6.3 Review employment practices and procedures regularly to ensure fairness, and also update both them and this policy to take account of changes in the law.
- 6.4 Monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the [Equality and Diversity Policy](#).
- 6.5 Monitor how the [Equality and Diversity Policy](#) and any supporting action plan are working in practice at the Board of Trustees' Autumn meeting each year. At this meeting the Board will take any appropriate action to address any issues. (See '**Appendix D Guidance for Equality and Diversity Report for Autumn Board Meeting**' which is attached to this document.).
- 6.6 Train all members of senior management, line managers and all other employees and students about their rights and responsibilities under this policy, including sexual misconduct. (See section 11)
- 6.7 Inform all staff and students that they, as well as their employer, can be held liable for acts of harassment, bullying, victimisation, sexual misconduct and unlawful discrimination, in the course of their employment, against all members of the College community, (students, staff, volunteers, contractors) and its visitors (guests, enquirers, conference users, contractors or any others) and the general public.
- 6.8 Respond to all formal concerns of harassment, bullying, victimisation, sexual misconduct and unlawful discrimination by fellow employees, students, visitors, the public and any others in the course of the College's activities. (See section 10 below.)
- 6.9 See the [Student Disciplinary Policy](#) section 8j where criminal investigations and/or judicial proceedings are ongoing, or are likely to commence in respect of a disclosure or report.

## 7. DEFINITIONS

### a. Definitions of Misconduct Covered by this policy

- 7.1 **Harassment** is where one person engages in unwanted and uncalled-for behaviour which has the purpose or effect of:
  - violating another person's dignity, (every person has an innate right to be valued, respected and to be treated in a morally correct way) or;
  - creating an intimidating, hostile, degrading, humiliating or offensive environment because of or connected to, one or more of the following protected characteristics:
    - age
    - disability
    - gender reassignment
    - race
    - religion or belief
    - sex
    - sexual orientation

A person does not need to have clearly stated at the time that the behaviour was unwanted for it to be harassment.

**7.1.1** There are various types of harassment, which could include:

- **Bullying**, which may be characterised as offensive, abusive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- **Sexual harassment**, which covers a wide range of behaviours, which may be against UK law. Under section 26 (2) of the Equality Act 2010 this type of harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Something can still be considered sexual harassment even if the alleged harasser did not mean for it to be. It also does not have to be intentionally directed at a specific person nor does it have to be repeated behaviour.
- **Stalking**, takes the form of unwanted or obsessive attention and may include following the victim in person or monitoring them (see behaviours below).
- **Domestic violence and abuse**, which can involve control, coercion and threats as well as violence and/or abusive (physical, mental or emotional) behaviour.

**7.2** **Victimisation**, which is where an individual is treated less favourably than others because they have taken action to assert their legal rights or assisted another in their legal rights to make, what they believe to raise a genuine concern of mistreatment.

**7.3** **Sexual Misconduct**, is unacceptable behaviour of a sexual nature. (See 8.9)

**7.4** Exposure to course materials that students might find offensive or unacceptable is unlikely to constitute harassment.<sup>1</sup>

**b. Definitions specifically relating to sexual misconduct**

**7.5** **Consent:** the agreement to participate in a sexual act where the individual has both the freedom and capacity to make that decision. Consent cannot be assumed on the basis of a previous sexual experience or previously given consent, and consent may be withdrawn at any time.

**7.6** **Freedom to consent:** for consent to be present, the individual has to freely and consciously engage in a sexual act. Consent is not present when submission by an unwilling participant result from the exploitation of power, or coercion or force or a lack of mental capacity to give consent regardless of whether there is verbal or physical resistance.

**7.7** **Coercion or force:** includes an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten, that place an individual in fear of immediate or future harm, with the result that the individual feels compelled to engage in a sexual act, causes them to do something they do not wish to do or deters from doing something they wish to do.

**7.8** **Capacity to consent:** free consent cannot be given if the individual does not have the capacity to give consent. Incapacitation may occur when an individual is asleep, unconscious, or any other state of unawareness that a sexual act may be occurring. Incapacitation may also occur on account of an impairment of or a disturbance in the functioning of, the mind or brain (whether permanent or temporary), or as the result of alcohol or substance use.

**7.9** **Disclosure:** means any report/allegation of abusive behaviour whether that be experienced by the one reporting it or abuse that they have observed/are aware of, and not only abuse experienced by the one reporting it.

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<sup>1</sup> See [www.equalityhumanrights.com/en/publication-download/freedom-expression-guide-higher-education-providers-and-students-unions-england](http://www.equalityhumanrights.com/en/publication-download/freedom-expression-guide-higher-education-providers-and-students-unions-england)

- 7.10 Formal Concern:** Submitting a formal concern to the College regarding an individual's experience of sexual misconduct or any other misconduct covered by this policy is an instruction to the College, for the College to take the most appropriate action. The concern will allow the College to investigate the misconduct as set out in this policy and the relevant disciplinary processes.
- 7.11 Intimate Personal Relationship:** emotional or physical relationship that has sexual or romantic overtones.
- 7.12 Vexatious Reporting:** involves the creation of multiple or a pattern of unwarranted reports of sexual or other misconduct. And/or failure to accept any reasonable decisions, by any party, arising from the implementation of disciplinary procedures.

### **c. Definitions relating to all misconduct under this policy**

- 7.13 Reporting Party:** the person(s) who has made a formal concern regarding an experience of misconduct
- 7.14 Malicious reporting:** occurs when an individual shares any allegations of misconduct they know to lack a basis in fact.
- 7.15 Staff:** all those members of the College community, whether paid or unpaid, who are responsible for teaching or delivering a service to the College, including temporary workers, visiting lecturers, and volunteers.
- 7.16** The definitions in 7.7, 7.9, 7.10 and 7.11 above also refer to all misconduct under this policy.

## **8. BEHAVIOURS**

**8.1** The College believes that all the behaviours described in this policy:

- are fundamentally incompatible with the Christian values that under-gird the College community
- have no place in a culture where all staff and students are treated with dignity and respect
- undermine the well-being of the person concerned, and
- may also adversely affect work performance.

**8.2** The behaviours are also condemned regardless of how they are communicated or exhibited: e.g. (but not limited to) physically, verbally, non-verbally, through body language, images, written communications or online.

**8.3** Being under the influence of alcohol, drugs or otherwise intoxicated is not an acceptable excuse for any of the behaviours condemned in this policy.

### **8.4 Activity Which Constitutes Harassment**

**8.4.1** Harassment (see definition above) can be committed:

- through individual behaviour face to face,
- either verbally or physically,
- towards one or more individuals,
- through other forms of communication, including but not limited to, written communications and communications via any form of electronic media or mobile communications device: such behaviour may also amount to a breach of the College's regulations relating to the use of Information Technology (ICT) Facilities (see the Student Handbook which can be found on the VLE or on the College website at [www.allnations.ac.uk](http://www.allnations.ac.uk)),
- directly to the person concerned, or to a third party,
- through a prevailing workplace or study environment which creates a culture which tolerates harassment or bullying, for example the telling of homophobic or culturally insensitive jokes,

- on the basis of a protected characteristic e.g. hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.

**8.4.2** Harassment is characterised by, but not limited to, such behaviour as any of the following repeated and unwanted behaviours:

- unwanted physical contact, ranging from an invasion of space to an assault (this includes sexual harassment - see section 8.6 below),
- open hostility, verbal or physical threats,
- offensive comments or body language, insults, jokes and banter based on race, religion, gender or other 'protected characteristics',
- malicious rumours, insulting, abusive, embarrassing or patronising behaviour or comments,
- persistently shouting at, insulting, threatening, disparaging or intimidating an individual,
- behaviour which causes the victim to feel intimidated, humiliated, patronised or harassed, such as persistent teasing, and/or demeaning criticism,
- constantly criticising an individual without providing constructive support to address any performance concerns,
- persistently overloading an individual with work that s/he cannot reasonably be expected to complete,
- posting offensive comments on electronic media, including using mobile communication devices,
- threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission,
- deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history,
- isolation from normal work or study place, conversations, or social events,
- publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials,
- or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities or exclusion from normal work place conversation or social events.

**8.4.3** The intentions of the alleged harasser are not always determined by whether harassment has taken place. The perception of the complainant and the extent to which that perception is in all the circumstances reasonable will also be relevant.

**8.4.4** The recipient does not need to have explicitly stated that the behaviour was unwanted.

## **8.5 Activity Which Constitutes Bullying**

Bullying (see definition above) is characterised by, but not limited to, such behaviour as any of the following repeated and unwanted behaviours:

- physical acts of bullying e.g. hitting, kicking, tripping, pinching, pushing or damaging property belonging to another person etc.,
- persistent teasing,
- constant unfounded criticism of performance of work tasks,
- unfair allocation of work and responsibilities,
- exclusion from normal conversation or social events.



## **8.6 Activity Which Constitutes Sexual Harassment**

**8.6.1** Sexual misconduct (as defined by Section 26 (2) of the Equality Act 2010)) relates to all unwanted conduct of a sexual nature. It is characterised by, but not limited to, such behaviour as any of the following unwanted behaviours:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)<sup>2</sup>
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015)
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)<sup>3</sup>. This includes unwanted touching or any other physical contact of a sexual nature

**8.6.2** Behaviours could include:

- inappropriate body language, for example staring or gestures
- suggestive remarks, propositions or gestures, pin-ups, graffiti
- unwanted sexual advances, propositions, suggestions or pressure for sexual activity at or outside the College
- sexually explicit jokes, remarks or innuendos
- derogatory or demeaning remarks based on gender, or the display of sexually explicit material anywhere on the College site.

**8.6.3** The College regards sexual harassment (regardless of the motivation) as a form of denial of equal opportunity which has the effect of insulting and demeaning the person against whom it is perpetrated.

**8.6.4** Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations.

**8.6.5** Harassment, which is not limited to circumstances where harassment relates to a protected characteristic, is a criminal offence under the Protection from Harassment Act 1997.

## **8.7 Activity Which Constitutes Stalking**

**8.7.1** Stalking (see definition above) is characterised by, but not limited to, such behaviour as any of the following repeated and unwanted behaviours:

- Following a person;
- Contacting, or attempting to contact, a person by any means;
- Publishing any statement or other material –
  - Relating or purporting to relate to a person, or
  - Purporting to originate from a person;
- Monitoring the use by a person of the internet, email or any other form of electronic communication;
- Loitering in any place (whether public or private);
- Interfering with any property in the possession of a person;
- Watching or spying on a person including through the use of CCTV or electronic surveillance.

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<sup>2</sup> See [www.equalityhumanrights.com/en/publication-download/sexual-harassment-and-harassment-work-technical-guidance](http://www.equalityhumanrights.com/en/publication-download/sexual-harassment-and-harassment-work-technical-guidance)

## 8.8 Activity Which Constitutes Victimisation:

**8.8.1** The College will regard as victimisation any instance where a person is subjected to detrimental treatment because they have, in good faith:

- made an allegation of harassment, or
- indicated an intention to make such an allegation, or
- assisted or supported another person in bringing forward such an allegation, or
- participated in an investigation of a concern, or
- participated in any disciplinary hearing arising from an investigation, or
- taken any other steps in connection with this policy and procedure, or
- is suspected of having done so.

**8.8.2** The College seeks to protect any member of the College community from victimisation, which is a form of misconduct which may itself result in a disciplinary process.

## 8.9 Activity Which Constitutes Sexual Misconduct

**8.9.1** To protect the welfare of students, and in the best interests of staff, the College prohibits staff from entering into an intimate personal relationship with a student for whom they have any responsibility. Failure to comply would be considered to be sexual misconduct. Where such relationships do occur, the staff member should be removed from all responsibilities that may entail a perceived or actual conflict of interest and/or abuse of power. With the staff member's consent, the student should also be advised of the disclosure, any of the relevant changes being made and why these are necessary.

**8.9.2** *The College would also count as sexual misconduct, sexual activity which is characterised by, but not limited to, any of the following behaviours:*

- *Sexual harassment (see 8.5)*
- *Sexual violence, including within marriage*
- *Sexual assault,*
- *Sexual abuse, whether physical, mental or emotional*
- *Grooming,*
- *Coercion or bullying with sexual elements*
- *Sexual invitations and demands, including involvement in prostitution*
- *Sexual comments*
- *Sexual non-verbal communication;*
- *Creation of atmospheres of sexual discomfort*
- *Promised resources or advancement in exchange for sexual favours*
- *Sexual activity without consent; consent is agreeing by choice, having the freedom and capacity to make that choice and to withdraw that choice at any time*
- *Viewing or distributing of pornographic materials.*

## 9. REPORTING PROCESS

**9.1** Any member of the College community who feels they have been subject to any form of bullying, harassment, victimisation and/or sexual misconduct should contact the Designated Safeguarding Lead, or their deputy, to report their concern; they can also contact the College Pastoral Care Team for support. This service is also available to those against whom an allegation of bullying, harassment, victimisation and/or sexual misconduct has been made. See **Appendix - section 2** for the contact details of various bodies who offer support including 24/7 Live Chat facility with Victim Support [here](#)

**9.2** Given the sensitive nature of sexual misconduct, privacy will be maintained, wherever possible, throughout the disclosure, reporting and investigative processes. The College will only share information internally or externally with the reporting party's express permission or in exceptional circumstances to safeguard members of the College community and fulfil the College's duty of care and/or discharge the College's legal obligations. Any disclosure

of information will be restricted to relevant information and conveyed only to those entitled to it for justifiable reasons.

- 9.3** Anyone who is approached by an individual, who comes to them with a disclosure about or an allegation of sexual assault or sexual violence being committed against them, should immediately refer to the '**Guidance on Handling the Disclosure of Sexual Violence**', which is found in Appendix 2 of this document and the **College Safeguarding Policy**.
- 9.4** The DSL will seek guidance from an external authority where necessary and follow the appropriate advice. This advice will inform our internal College procedures and processes.
- 9.5** All allegations of misconduct concerning behaviour referenced in this policy would automatically involve consideration of what Precautionary Protective Measures and/or Interim Suspension Measures should be put in place as a first step in the disciplinary process (See the relevant Disciplinary Policy).
- 9.6** Submitting a formal concern to the College regarding an individual's experience of sexual misconduct is an instruction to the College to take the most appropriate action. The formal concern will allow the College to investigate the misconduct as set out in this policy and the relevant disciplinary processes.
- 9.7** Allegations of any of the conduct described in the policy, are serious offences and many are potentially criminal. Where allegations are made against a student, the procedures in the [Student Disciplinary Policy](#) will be followed. Where an allegation is made against a member of staff, the Staff Disciplinary Procedure will be followed. Where an allegation involves both a member of staff and a student, the procedure concerned with the alleged perpetrator will take precedence.
- 9.8** Particularly serious concerns would amount to gross misconduct and would lead to dismissal without notice (staff) or termination of registration (student).
- 9.9** Following submission of a formal concern, the reporting student has the right to withdraw their concern at any stage in the procedure. However, the College may have a duty to continue investigations and reserves the right to re-direct the concern to the appropriate policy; such as (but not limited to) the [Safeguarding Policy](#).
- 9.10** If someone raising a formal concern is deemed to have known or to have reasonably been expected to know that a formal concern was unfounded, the allegation of misconduct may be judged to be vexatious or malicious, and disciplinary action may be taken against them. This would be dealt with by the [Student Disciplinary Policy](#) in the case of a student and the Staff Disciplinary Procedure in the case of a member of staff. No action will be taken if a formal concern proves to be unfounded and is judged to have been made in good faith.
- 9.11** Record Keeping: The initial concern/disclosure and actions taken in response will be stored securely on MyConcern®. Ongoing access and permissions will be allocated in-line with College's Safeguarding policy and procedures as well as GDPR, College Data Protection Policy and the Data Retention Schedule.

## **10. HOW TO SUBMIT A CONCERN**

To submit a formal concern, use the Concern form in the appendices of the [Student Disciplinary Policy](#).

## **11. ROLES, RESPONSIBILITIES, POLICY APPROVAL AND REVIEW**

- 11.1** The **Board of Trustees** have legal oversight and responsibility for all College policies, providing leadership and active support for them and are responsible for ensuring that:
- A legally compliant and fit for purpose Bullying, Harassment and Sexual Misconduct Policy is in place and approved by them.

- Satisfactory arrangements are made for its effective implementation, including the provision of resources.
- The Senior Leadership Team monitors, evaluates and periodically reviews this policy and recommends any changes firstly to the Governance Committee and then the Board of Trustees for approval.
- Formal concerns and appeals brought under the terms of this policy are managed satisfactorily by the Senior Leadership Team.
- Decision making complies with all relevant legislation and regulatory bodies.
- They receive details from the Senior Leadership Team of reported incidents and outcomes of cases (particularly where a significant impact on someone has occurred or lessons need to be learned), or of a serious incident or one which could be of reputational risk to the College which should be reported to either the Office for Students and/or the Charity Commission.

**11.2** The **Principal/CEO and Senior Leadership Team** are responsible for:

- The implementation and management of this policy, ensuring that procedures are implemented consistently and with clear lines of authority and actively and visibly leading the College's Bullying, Harassment and Sexual Misconduct Policy and practice.
- Ensuring this policy is continually improved in consultation with students and staff.
- Monitoring, evaluating and periodically reviewing this policy and for obtaining approval from the Governance Committee and the Board of Trustees for any changes made.
- The management of formal concerns.
- Ensuring decision making complies with all relevant regulatory bodies.
- Reporting details to the Board of Trustees of reported incidents of outcomes of cases (particularly where significant impact on someone has occurred or lessons need to be learned), or of a serious incident or of one which could be of reputational risk to the College.

**11.3** The **Principal/CEO and Senior Leadership Team, and all department heads, staff and students** are responsible for ensuring that the principles of this policy are implemented in such a way that fosters a working, learning and social environment in which the rights and dignity of all members of the College community are respected.

**11.4** Through their ongoing regular meetings, the **Head Students** and the **Principal/CEO** are responsible for providing an opportunity for matters related to this policy to be raised with all members of the student body (the Head Students), the Senior Leadership Team and the Board of Trustees (the Principal/CEO).

**11.5** **Any person covered by the scope of this policy, if involved in a formal concern,** whether those making an allegation or those being accused of misconduct according to the terms of this policy must:

- ensure they present their case with integrity and in a timely fashion and/or
- ensure they comply with any investigation and the procedures in this policy.

They are also responsible for:

- familiarising themselves with this policy on appointment/at induction/orientation;
- demonstrating active commitment to this policy by:
  - treating others with dignity and respect;
  - discouraging any form of abuse by making it clear that such behaviour is unacceptable;
  - supporting any member of the College who feels they have been subject to harm through another's abusive treatment, including supporting them to make a formal concern, if appropriate;

**11.6** The College entrusts all individuals across the institution to take a pro-active role in improving the College's Bullying, Harassment and Sexual Misconduct Policy and practice.

## **12. POLICY COMMUNICATION**

- 12.1** This policy together with all other policies mentioned in this document can be found on the College website: <http://www.allnations.ac.uk> and in the student area on the College VLE.
- 12.2** The **Staff Disciplinary Procedure** can be found in the Additional Staff Policies & Procedures on the P Drive and is also obtainable from the HR Lead.
- 12.3** The General College Administrator will make every effort to respond to any request to provide this policy in a different format. Such requests should be sent to [info@allnations.ac.uk](mailto:info@allnations.ac.uk)
- 12.4** This policy will be included in staff and student induction.
- 12.5** At the start of Term 1 each year, College will hold a Contemporary Issues in Mission (CIM) session on sexual harassment, to ensure all staff, students and volunteers are aware of this policy and how to report any concerns they may have. This session will be recorded and made available for all Term 2 and 3 starters, as well as short course participants, as part of their induction, which will include how to report any concerns they may wish to raise.

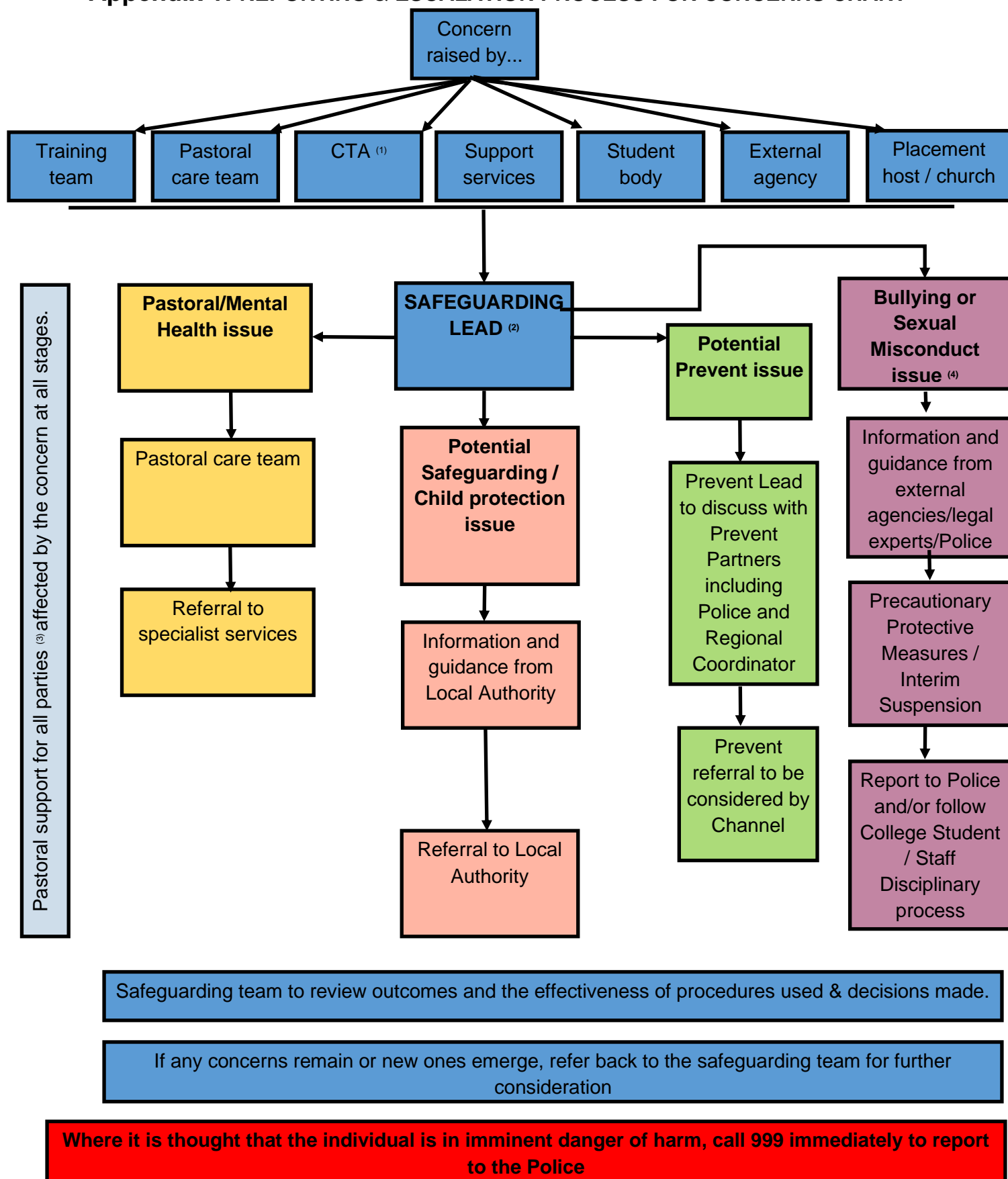
### 13. RELATED DOCUMENTS

- All Nations Christian College Staff Disciplinary Policy (located in the staff folder on the P drive)
- All Nations Christian College [Student Disciplinary Policy](#)
- All Nations Christian College [Equality and Diversity Policy](#)
- All Nations Christian College [Complaints Policy](#)
- All Nations Christian College [Whistleblowing Policy](#)
- All Nations Christian College [Safeguarding Policy](#)

### 14. APPENDICES

- 1. Common Reporting and Escalation Process for Concerns Chart**
- 2. Guidance on Handling the Disclosure of Sexual Violence:** The College urges all members of the College community to follow this guidance in the event that a person discloses to them the fact that they have been a victim of sexual violence either in the recent or historical past.

## Appendix 1: REPORTING & ESCALATION PROCESS FOR CONCERNS CHART



<sup>(1)</sup> CTA - Compliance and Training Administrator

<sup>(2)</sup> Or Deputy Safeguarding Lead in the absence of the Safeguarding Lead

<sup>(3)</sup> where they are a member of the College community

<sup>(4)</sup> See above for further details

## **Appendix 2**

### **ALL NATIONS CHRISTIAN COLLEGE**

#### **GUIDANCE ON HANDLING THE DISCLOSURE OF SEXUAL VIOLENCE**

##### **1. LET THE INDIVIDUAL STAY IN CONTROL**

- 1.1. The pace and direction of your support should always be led by the individual. Sexual abuse or sexual violence can make an individual feel powerless and not in control. Individuals need to feel they can be in charge of their lives again and it is important to resist the temptation to take over by arranging and doing things that you think are best. Instead, let the individual talk about how they feel, while aiming to support them in any decision they need to take.
- 1.2. Individuals are often afraid of how others will react to what has happened to them. They may fear not being believed, embarrassment, having their experiences minimised or trivialised, or even rejection. It is important that your interaction does not prevent them from seeking further support, and you should avoid questions that could be seen as accusatory such as: "Why didn't you fight back/scream?", "Why didn't you do/say something sooner?".
- 1.3. It is important to remember that the reaction to sexual assault will vary from person to person; the individual may be angry, numb or have feelings of guilt. It is helpful not to have any preconceived expectations of how they will look and act, as this could affect your ability to empathise fully. Individuals will have differing priorities: some will want to report to the police, others will be concerned about pregnancy or sexually transmitted infection (STI). They might come to you in the immediate aftermath or want to discuss a historic case.
- 1.4. It is possible that the individual will not have labelled their experience as 'sexual assault' or 'sexual violence' (or as 'harassment' or 'stalking'). It is important that you do not ask or prompt them to do this, but rather allow the individual to come to this point in their own time. Given the distressing nature of these experiences, delayed labelling and responses more generally are common. If it has taken the individual a long time to label their experience, or to realise that they wish to seek help, this does not mean that the individual is any less likely to be honest or in need of help. Below are practical considerations you should be aware of, given there is no formulaic pathway of support.

##### **2. IN THE EVENT OF A RECENT INCIDENT OF SEXUAL VIOLENCE**

- 2.1. If relevant, let the individual know that there are external personnel who are trained to gather early medical evidence, and inform them that early evidence may be crucial if they want to proceed with a prosecution at any later stage. As well as gathering evidence, important medical treatment can be offered. The individual may or may not choose to contact the police but the Herts SARC (Sexual Assault Referral Centre) is the first step to receiving professional help.
- 2.2. This organisation provides a comprehensive and co-ordinated forensic and aftercare service to men, women and young people living in the Hertfordshire area, who have experienced rape or sexual assault. SARCs have specially trained experienced professionals who can give medical help and advice. They can store forensic results until the individual makes up their mind whether or not to report to the police and can support them through the immediate trauma.
- 2.3. They comprise a team of experts with a wealth of knowledge and experience in advising and supporting victims. This team includes specially trained Independent Sexual Violence Advisors (ISVAs), who will care for those who have been assaulted, liaising where appropriate (and with the victim's permission) with the police and other agencies.

- 2.4.** This service is delivered in partnership with Hertfordshire Constabulary and the National Health Service to provide immediate physical and on-going help and support following a rape or sexual assault. The service provides an efficient and effective care pathway for clients into the Sexual Health Services, Rape Crisis, Victim Support and other partner agencies.
- 2.5.** Individuals can self-refer by contacting the free phone number: 0808 178 4448. This number is available 24 hours a day but if you call after 4pm you can leave a message and someone will return your call as soon as possible the following day.
- 2.6.** Victims who self-refer will be given all necessary advice and support. All available options will be outlined to the victim, including the option to refer the incident to the police. The crisis worker will outline all available options to the victim including the option to refer the incident to the Police.
- 2.7.** Staff will respect the wishes of the victim and implement the procedures according to their wishes. This will include cases where the victim is unsure of what action to take. Procedures are in place to secure potential forensic evidence should the victim choose to report the assault to the Police at a later time.
- 2.8.** Other useful telephone numbers:
- Herts Sexual Assault Referral Centre Helpline: 0808 178 4448
  - Rape Crisis Hertfordshire: 01707 276512
  - Victim Support: 0808 1689111 or email [here](#); the website also gives other means of support, including live chat
  - Police – non-emergency telephone number: 101; emergency telephone number: 999; Note that approaching the Police binds the Police to investigate if they believe a crime has been committed.

### **3. PROTECT AND PRESERVE EVIDENCE**

- 3.1.** Whether the victim wishes to inform the police or not, in the event of a recent assault, the individual should be advised not to:
- Use the lavatory or discard underwear or sanitary products
  - Wash, shower, bathe or shave
  - Wash their hands
  - Remove, wash, discard or destroy clothing worn or bedding and towels used at the time of the incident or subsequent to it
  - Drink or eat anything, including non-essential medication
  - Clean their teeth
  - Smoke
  - Disturb the scene or allow other people or animals to enter area where the incident took place, where possible.
- 3.2.** Non-physical evidence, such as relevant texts, social media messages and emails should be preserved.
- 3.3.** If attending a SARC or a police station, it is important to bring any underwear or clothing worn at the time of the incident in a plastic bag, if not being worn for the journey. The place of the incident should be made secure if possible.



#### **4. IN THE EVENT OF AN HISTORIC INCIDENT**

The guidance above applies; however, it is advisable to telephone the SARC before making a journey to establish whether they are likely to be able to gather any medical evidence.

#### **5. IF THE INDIVIDUAL DECIDES NOT TO REPORT**

- 5.1.** A decision not to visit a SARC or report to the police is still a valid decision and the individual's wishes should be respected. However, it is important that they retain relevant evidence, in so far as this is possible, in case they change their mind in the future.
- 5.2. Medical Attention:** An individual who does not want to go to a SARC or the police, is advised to seek medical attention. The local GUM (Genito-Urinary Medicine)/Sexual Health Clinic can provide morning-after pills, tests for STIs and anti-retroviral medication. Galen House has sexual health screening and health advice all in one place. The clinic is a confidential service which is separate from both the hospital and GPs. Their phone number is 01279 827676 and they are located on the first floor of the Addison Health Complex, 4<sup>th</sup> Avenue, Harlow, Essex, CM20 1DW.
- 5.3. Record Keeping:** A member of staff to whom an allegation of sexual assault is made is advised to make a note of what has been disclosed, either in the presence of the individual (with their permission) or as soon as possible thereafter. You may be asked to act as a witness in any criminal proceedings and a contemporaneous note will be valuable. The notes should be stored in accordance with the principles of the Data Protection Act (as enshrined in the College [Data Protection Policy](#)) and should not normally be disclosed without the individual's permission.

#### **6. SUPPORTING THE INDIVIDUAL**

- 6.1.** Contact between the alleged perpetrator and the complainant will need to be managed, including contact through teaching, examinations, accommodation and social activity. The Principal/CEO will advise and make recommendations to the appropriate bodies on such situations, including cases where a complaint is not made to the police or, following a police investigation, the alleged perpetrator is not charged.
- 6.2.** You can discuss with the individual how they can be helped to feel safer. This might include making sure that relevant staff members are asked not to disclose an individual's whereabouts or telephone number.
- 6.3.** You can encourage the complainant to contact the Herts Area Rape Crisis and Sexual Abuse Centre (<http://www.hertsrapecrisis.org.uk> Helpline 01707 276512) or the Cambridge Rape Crisis Centre (<http://www.cambridgerapecrisis.co.uk> Helpline: 01223 245888).
- 6.4.** You can encourage the individual to speak to the Pastoral Care Tutor. Counselling will not erase what has happened, but it may help equip the individual with the resources and coping mechanisms to cope with what has happened and to start to feel more in control.
- 6.5.** The Pastoral Care Tutor is available to advise staff as well as students, and can advise on issues including whether and how to inform relevant staff, and managing contact between the complainant and the alleged perpetrator.

## **7. PROVIDING LONG-TERM SUPPORT FOR THE INDIVIDUAL**

- 7.1. The individual may wish to suspend their studies; every effort should be made to ensure that their academic standing is not adversely affected and that their return to study is as smooth as possible.
- 7.2. It should be made clear to the individual that all the sources of support described above will be available to them on their return.

## **8. SOURCES OF SUPPORT FOR STAFF MEMBERS**

A member of staff to whom an allegation of sexual assault or sexual violence is made is encouraged to be mindful of their own welfare. They may wish to speak with the College Pastoral Care Tutor. The rape crisis centres referred to above also provide support for supporters as well as survivors.

## **9. GUIDANCE COMMUNICATION**

This document, as well as all other policy, procedure and guidance documents relating to students studying at All Nations Christian College, will be available to all, monitored regularly and reviewed and evaluated periodically. They can be found on the College website: [www.allnations.ac.uk](http://www.allnations.ac.uk) and in the student area of the College VLE.