

Sexual Harassment and Misconduct Guidance



Sexual Harassment and Misconduct

What is this Guidance?

We are focused on taking all necessary steps to ensure a safe environment that is free from sexual harassment and misconduct, in which the rights and dignity of all members of our University community are valued and respected.

We recognise the devastating impact that sexual harassment and misconduct can have on individuals, their supporters and University communities. This is an issue being experienced across Higher Education and the wider society. We take this very seriously and firmly commit ourselves to the promotion of a culture in which any incident of sexual harassment and misconduct will not be tolerated, will be actively challenged, and will be addressed to ensure a positive, safe environment for all members of our community.

Our community expects that all interpersonal relationships and interactions will be grounded upon mutual respect, open communication, and clear consent. Community members are expected to take an active role in upholding our collective commitment and in promoting the inherent dignity of all individuals.

It's important that you know what to do if you or someone you know experiences sexual harassment or misconduct while studying with us, and what support is available. We also want you to know what to expect if you've been reported for sexual harassment or misconduct.

We know that a lot of people who experience sexual harassment or misconduct don't report it to anyone. We are committed to creating an environment where sexual harassment or misconduct is not tolerated. We want you to know that if you report something to the University, we'll handle it sensitively and confidentially.

What is Harassment and Sexual Misconduct?

Sexual harassment and misconduct include a broad range of inappropriate, unwanted behaviours, normally where there is a disregard of informed consent. So that it's easier to read, throughout this document we use the term sexual misconduct to refer to any form of sexual harassment or misconduct. We use the term reporting person to refer to someone who has made a report of sexual misconduct. They may be reporting because they are a victim of, or because they have witnessed sexual misconduct. We use the term reported person to refer to someone who has been reported for, or is under investigation in relation to, committing an act of sexual misconduct.

What types of behaviour are considered to be sexual misconduct?

Sexual misconduct includes a broad range of behaviours, some examples of which are below:

Type of behaviour	Definition
Sexual misconduct	<p>Any unwanted conduct of a sexual nature. This could be in person or electronically, including on social media. It includes but is not limited to:</p> <ul style="list-style-type: none"> • Inappropriately showing sexual organs to another person. • Recording and/or sharing intimate images or recordings of another person without their consent. • The creation, sharing, or distribution of messages, images, or other content of a sexual nature about another person that would reasonably be expected to cause them degradation, humiliation, or serious distress. • Arranging or participating in events or conduct which may reasonably be expected to cause degradation and humiliation to those who have experienced sexual misconduct.
Unwanted physical sexual advances or sexual harassment	<p>Unwanted conduct of a sexual nature that has the purpose or effect of either:</p> <ul style="list-style-type: none"> • Violating a person's dignity <p>or</p> <ul style="list-style-type: none"> • Creating an intimidating, hostile, degrading, humiliating, or offensive environment for them. <p>This means that any unwanted sexual behaviour—such as comments, gestures, physical contact, or other actions—may constitute sexual harassment if it makes a student or staff member feel uncomfortable, unsafe, or undermined. Examples include, but are not limited to</p>

		<ul style="list-style-type: none"> • Unwanted touching, such as groping, stroking, or brushing against someone's body. • Sexual assault, including any non-consensual sexual contact. • Engaging in or attempting to engage in any sexual act, sexual touching or kissing without consent. • Repeatedly following and/or stalking another person. • Inappropriate physical proximity, such as deliberately invading personal space in a sexualised manner. • Forcing or coercing a person into physical contact of a sexual nature. <p>The impact on the individual matters, even if the behaviour was not intended to cause harm.</p>
	Intimidation, promising resources or benefits in return for sexual favours	<p>This refers to situations where a person:</p> <ul style="list-style-type: none"> • Uses threats, pressure, or coercion to obtain sexual favours. Or • Offers benefits in exchange for sexual acts. <p>This would be considered to be sexual misconduct regardless of whether you submit to the demand, and includes but is not limited to:</p> <ul style="list-style-type: none"> • Threatening consequences if sexual advances are refused. • Offering rewards in exchange for sexual favours. • Using authority or power to pressure someone into compliance.
	Domestic abuse and coercive or controlling behaviour	Any controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been,

		intimate partners or family members regardless of gender or sexuality. This can include, but is not limited to the following types of abuse: <ul style="list-style-type: none"> • Psychological • Physical • Sexual • Financial • Emotional
	Complicity	Any act that knowingly helps, promotes, or encourages any form of sexual misconduct by another individual.
	Retaliation	Any words or actions made in response to disclosures or reports made under this policy. This can include behaviour from both the reported and reporting people, as well as witnesses, friends, or relatives.

What do I do if I've experienced sexual misconduct?

What support will I get if I have experienced sexual misconduct?

Anyone can experience sexual misconduct, regardless of their age, gender, race, sexual orientation, religion, class or other personal characteristics. We know that reporting sexual misconduct can be very difficult.

If you have experienced sexual misconduct, you are encouraged to contact the University's Sexual Violence Liaison Officer (SVLO) team. The team provide a caring, holistic wrap-around service for survivors of sexual misconduct. The [SVLO webpage](#) gives more details of the support that they can provide.

The team can support you no matter where or when the sexual misconduct happened. It could be something that occurred while you were studying with us, or something that happened a long time ago.

The SVLO team will talk with you and will help you to understand what your options are. This could include formally reporting the incident to the police, and/or to the University if the

reported person is a student or member of staff. If you don't feel ready to report the incident straight away, you can continue to access the team for support. Where appropriate the team will support you in considering whether you want to make a self-referral to a Sexual Assault Referral Centre (SARC). You can do this even if you don't want to make a report to the police.

The SVLO team can also support you to access external, specialist support services, which could include referrals to mental health, wellbeing and medical services, safety planning, or accessing a SARC.

If you've experienced an incident of sexual misconduct that is impacting on your studies, we may also be able to make some reasonable adjustments to suit your personal needs and circumstances. The team can also support you to use the University's [Exceptional Circumstances Procedure](#) for any upcoming assessments.

As a reporting person, you will normally be in control of what action you want to take and when. You won't need to disclose anything about your situation to anyone outside the SVLO team if you don't want to. However, there may be occasions when the University needs to take action. This might be because an incident is very serious, or because there is a high level of risk for safeguarding others in our community. If we do need to do this, we'll clearly communicate this to you and the reasons why.

Formally reporting sexual misconduct

What happens if the person isn't at the University?

If the person you are reporting is not a student or member of staff at the University, the SVLO team will provide you with any support that you need. This could include support in making a report to the police, if that's what you want to do.

What happens if the person is a student or member of staff?

If the person you are reporting is a student or member of staff, you can choose to report this just to the University, or to the police and the University. If you make a report to the police, it's important for the University to know. This means we can consider what actions we need to take to make sure everyone in our community is safe.

What happens if a formal report is made to the University?

How do I make a formal report to the University?

A formal report to the University will normally be handled via the University's [Complaints Procedure](#). You'll need to provide a statement about what happened, as well as any evidence you might have about the incident, and anyone we might need to talk to or interview, such as witnesses.

We know that providing this information can be distressing for you, but we need to have as much detail that you can provide so that we can investigate this properly. You can choose how you provide that statement. For example, you might want to write it yourself, or you might want a member of our SVLO team to support you to write the statement. If you've made a statement to the police, you could provide this statement to us.

Reporting these sexual misconduct incidents can be difficult, so we will do all we can to limit the amount of times you need to tell us your statement in full. There may be times when we need you to repeat your full statement in order to aid the investigation process.

When can I make a report?

The University is committed to investigating any reasonable report of sexual misconduct relating to a current member of our community wherever possible. We will normally try to investigate even if the report is made some time after the incident, or if there isn't any evidence. As long as the person who is reported is still a student or staff member at the University, we will undertake all reasonable steps to investigate the reported incident. However, when more time has passed, the investigations we can do, and the outcomes we can provide, will be more limited.

When someone is a survivor of sexual misconduct, it can often take them some time to feel able to report the incident. There is also often very little evidence of what has happened. If you can contact the SVLO team soon after the incident, they will be able to help and support you to understand what evidence you might be able to preserve.

Although the University normally expects complaints or concerns to be raised at the time of an incident, or shortly afterwards, and to be supported by evidence, we recognise the particular difficulties that survivors of sexual misconduct may face in coming forward. For this reason, where an incident of sexual misconduct is reported to us, we will normally be flexible about both the timeframe for reporting and the need for supporting evidence.

If you decide to make a report to the University, we'll need to use all of the information that you've provided to us as part of an investigation. This will mean that we'll confidentially share

the details of the report to relevant University staff members. We'll also need to share that report with the reported person, and the person who is supporting them. When you make a report, we'll ask you to confirm that you understand this before we progress the case.

Can I report anonymously?

The University doesn't normally accept anonymous complaints. This is partly because we need to present the reported person with all the information we have about a case, including the statement from the reporting person. The reported person is likely to know who has reported them based on the information in that statement. This means that we would be unable to preserve the anonymity of the person making the report.

It is also a case of natural justice. As a University we have a duty to act fairly when investigating incidents. When someone has been reported for something, they should know who they have been reported by and the allegations that have been made. This is to allow them to be able to appropriately respond to the concern being raised.

What process will you follow?

The University has a number of different processes that we might use if you make a formal report of sexual misconduct. Which processes we use depends on whether someone is a student or a member of staff. We might also use a different process if a reported student is on a course leading to professional registration.

We want you to know what to expect from the reporting and investigation process. At the end of this guidance, you'll find a diagram that shows what processes we will use and when. This is just for your information, and we'll follow the processes that we need to once you make a report.

Where a report relates to someone in the University, we may ask the reported and reporting people to sign a non-contact agreement. The purpose of this agreement is to ensure the safety and wellbeing of everyone involved and that they understand the boundaries in any interactions. It is intended to be a supportive measure, especially in those circumstances where we know that continued interaction between people would not be helpful to the wellbeing or ability to study of those involved, or those around them. However, even though this is intended to be a supportive measure, failure to engage with this process by anyone involved may be considered to be retaliation, as explained in the Values section above.

What happens if I choose to report the incident to the police?

If you choose to make a report to the police, the University may need to put a hold on some of our internal processes, until we are told by the police that it's ok to proceed. This is because we could affect, or prejudice the police investigation. We will ensure that any safeguarding and safety risks are considered, and we'll look to see if it's appropriate to take any other action while we wait for the police to tell us it's ok to continue. For

example, we might suspend the reported person or move someone into different accommodation.

What happens during the investigation?

There might be some slight differences in how we investigate a report of sexual misconduct when compared with other types of investigation, depending on what process we are using. For more details on the individual specifics, you will need to check the relevant procedure, a list of which can be found at the end of this framework.

When we start the investigation, we will let you know who the Investigating Officer is. Wherever possible they will make sure that they meet in the way that's best for you, whether that's in person, over Microsoft Teams or by phone. They will arrange a time to meet that is best for both you and the Investigating Officer. You will be able to be accompanied to your meeting, either by a supportive fellow student, or a member of the Students' Union Advice Team. If you're a reporting student, you could be accompanied by a member of the SVLO Team.

We know that this will be a difficult process for you, and it can be hard to talk about sexual misconduct. The investigation will be handled sensitively and confidentially, and we will work to ensure everyone involved in the process is supported appropriately.

If you're the reporting person

The Investigating Officer may want to meet with or hear from you first, before they interview anyone else. They might want to ask you some questions about what happened, but you won't need to go over the incident in detail. The Investigating Officer won't look into your private life or medical history. When investigating the case and coming to a conclusion on the incident, they will not make a judgement on what you were wearing or whether you had been drinking or taking drugs.

What are the Fitness to Practise considerations for Reporting Students

Students who are studying on courses leading to professional registration will be aware that the professional regulating body and the University have expectations on your conduct. This includes an ethical and professional obligation to report concerns about others who are behaving inappropriately. This relates to other students, as well as others working within the professional area, for example, during placement.

This is a key component of professional accountability and ensures the safety and wellbeing of everyone in the University's community, and professional placement settings. If you witness or experience such behaviours, you are expected to raise concerns through the appropriate processes.

The University recognises that reporting concerns can be challenging, and if you make a report in good faith, you will be supported and protected from any form of retaliation or disadvantage.

If you do not report something you have witnessed, this may be considered to be a breach of professional expectations and could have implications for progression on your course.

In addition, if in the course of the investigation you disclose something about yourself that may not meet those professional standards, you will need to have a further discussion with the School to make sure that you are supported appropriately. In doing so, the information that is shared with the School about your situation will be as limited as possible.

In either situation, further considerations or investigations may be made through the Fitness to Practise Procedure.

How will you reach a decision on the case?

It's important to remember that the University's processes are not legal or police processes, which means that the outcomes can be different.

When we investigate a case, we aren't looking to see if someone has broken the law. We will be looking to see if there is evidence that a reported person has committed sexual misconduct, as outlined in the values section of this document. For this reason, we don't use legal terminology such as rape.

Police cases must be proven to the criminal standard, or "beyond reasonable doubt". This means proof that is close to absolute certainty that something happened. The University considers cases to the civil standard, or "on the balance of probabilities". This means that we will check whether, based on the evidence, the incident is more likely to have happened than not.

Because of these two factors, it can mean that the University investigation could reach a different outcome than a police investigation might.

Sexual misconduct often occurs in private settings, leading to an absence of witnesses or physical evidence. In some cases, due to the limitations of available evidence, an investigation may not be able to reach a definitive finding. This does not reflect on the credibility of those involved but rather the challenges inherent in the process.

In such cases, investigations may conclude that it is not possible to make a definitive finding of fact. This means that, based on the available evidence, we cannot determine whether an incident occurred. It is important to understand that this conclusion does not imply that the incident did not happen, nor does it confirm that it did.

What happens if a case is

Sometimes an investigation may decide that a reported person's case needs to be considered at a hearing. In cases where the reported person is a student, this would include a Panel of senior University and Students' Union staff. Who this is will depend on which process we use.

**considered by
a Panel?**

Where the reported person is a member of staff, any disciplinary hearings would involve senior University staff, with the support of the University's HR department.

If you are the reporting person

The reporting person would not normally be expected to attend any type of meeting with the reported person, but there may be times when we need to ask you to attend. In those instances, we will work with you on your attendance and ensure that you are supported and safeguarded in doing so.

We also know that it can be important to some sexual misconduct survivors to have involvement in the process. If we hold a hearing, if possible we may let you know and give you the opportunity to engage with the process.

This could be by providing a written or recorded statement about the impact that the incident has had on you since it happened. If you do provide a statement, we will need to provide this to everyone who is attending the hearing, including the reported person. We will make sure that you don't come into contact with the reported person during or after your attendance.

If you are the reported person and are a student

We will make sure that you have enough notice ahead of the Panel hearing being held. We will normally tell you at least one week before the hearing is due to take place, and give you access to all of the documents that will be considered. You will also have the option to be accompanied by someone, either a supportive student friend, or a member of the Students' Union Student Advice Team.

If you are the reported person and are a member of staff

Full details of what to expect during a hearing are included in Section 6.0 of the University's Disciplinary Procedure, available for Staff on Workvivo. You will have the right to be accompanied by an employee colleague or accredited Trade Union representative.

**What support
can I access if
I'm being
investigated?**

Being investigated for any kind of misconduct can be difficult, and you'll be able to access the [University's support services](#) throughout this time. If you've been issued with a temporary suspension from accessing some or all parts of the University campus, we'll make sure that you still have access to these support services. The details of how to do so will normally be given to you in the temporary suspension decision letter.

**If I've reported
someone, will I
find out what**

As someone who has reported sexual misconduct, we will keep you as informed as we can about what is happening with the investigation. However, we have a duty to preserve the privacy of everyone involved in the process. This means that we can

has happened after an investigation?

only normally give you limited information about what actions have been taken against the reported person. Similarly, we will not normally tell the reported person about private details about you that don't relate to the investigation.

If the case is referred to a further stage of a process, such as for consideration by a Panel, we will let you know (see below).

At the end of the process, you will receive a letter which tells you as much as we can about the conclusion of the investigation. If the investigation has resulted in an action which involves you, we will let you know. For example, if the reported person is expected to write a written apology to you. We will also let you know if the person you have reported is no longer expected to be on campus, and who to contact if you see them.

You can continue to access support from the University's support teams, including the SVLO team, throughout the investigation, and after the investigation has completed.

What happens next?

Whether you are the reporting or reported person, once an investigation is completed and any panel processes have been concluded, you will receive a letter explaining the outcome of the case. We'll make sure you have the opportunity to discuss this outcome with someone if you want to. We will always handle your case professionally and with sensitivity, and we hope that we'll be able to resolve the case in the right way for you. If you're not happy with the outcome that has been reached, the decision letter will tell you what you can do next, which will normally be an appeal or review process. You will find more information about the process that will be followed within the specific procedure that your case has been considered under.

What processes will you follow?

Where can I find more information about the processes?

This framework works with a lot of University processes, some of which overlap with each other, or will be used at different times. The below flowchart might help you to understand what processes we will use, and when. For more detail on all of these processes, please see the Procedures themselves, listed and linked below.

[Student Conduct Procedure](#)

[Fitness to Study and Fitness to Practise Procedure](#)

[Student Suspension Procedure](#)

[Complaints and Appeals Procedure](#)

Staff Disciplinary Procedure

Staff Bullying, Harassment & Sexual Misconduct Policy

Staff Code of Conduct
