



UK COLLEGE
OF BUSINESS AND COMPUTING

Prevention of Sexual Harassment

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Approved by	
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Introduction

UKCBC are committed to providing a positive work and studying environment and experience for both Staff and Students. This includes a Zero Tolerance approach to sexual harassment.

The Purpose of this policy is to set out the expectations UKCBC have relating to the behaviour of both staff and students and to provide the guidance for dealing with complaints of sexual harassment. It intends to support in the protection of staff and student from inappropriate sexual behaviour including but not limited to violence, grooming, misconduct and harassment.

Scope & Definitions

In accordance with the Equality Act 2010 (“The Act”) Sexual Harassment is unlawful a continuation of the is that it is also unlawful to treat someone less favourably because they have either submitted a complaint relating to sexual harassment or alternatively have rejected the behaviour. Under the Act sexual harassment is defined as occurring when a person engages in unwanted conduct of a sexual nature that has the purpose or effect of

- Violating someone’s dignity or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment

The below list are behaviours that can constitute as sexual harassment but are not limited to.

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person’s private or sex life, and discussing your own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing
- criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications o/hr policies/prevention of sexual harassment
- Predatory behaviour
- Coercion

Sexual interaction is mutual, consensual and invited is not deemed sexual harassment, because it is not unwanted. An individual can be the recipient of sexual harassment from someone of the same or different sex. It is the behaviour of that recipient which establishes whether this is unwanted. Sexual harassment can also be a one-off incident which does not have to be directed at a person. This means it can be witnessed or overheard. Sexual conduct that has been welcomed in the past can also become unwanted later.

For the purpose of this policy 'Staff' will refer to anyone either employed or engaged with the college on paid or unpaid basis who are carrying out work for the college on any type of employment contract. Including:

- Students undertaking paid or unpaid work
- People designated as workers for the College including those engaged through the Temporary Staff
- Agency workers and Honorary appointments

A student refers to an individual that is registered to the College to study on any programme offered, including any short courses and summer programmes. It also refers to those that may be studying away from the College premises.

Anyone working on a voluntary basis at the College or those working as contractors are also bound by the terms of this policy as is anyone who is representing or engaged with the College.

Victimisation of any individual who has made a complaint under this policy will also not be tolerated and this will be dealt with separately by the College under the relevant procedure.

Sexual harassment is deemed as serious misconduct and could ultimately result in dismissal of an staff member or expulsion for students.

Expected Behaviours.

For Staff

The College believes that a professional relationship between staff and students consists of trust and confidence, and that this is an integral part of any student experience, development, and pastoral care. Therefore, those that work/ represent the College must not abuse their position in any manner. Given the clear imbalance of power between staff and student the college strongly discourages any intimate relationships between staff and students, causing a potential conflict of interest or abuse of power. These relationships could compromise the trust and confidence that students have in the college, its staff and may negatively impact the student's educational development, pastoral care and may in some circumstances constitute as an abuse of power.

This imbalance can also exist between staff depending on the position in which they hold in the college. Likewise, any abuse of the professional working relationship or power dynamic between staff is unacceptable and those involved maybe subject to disciplinary action.

In addition to this the college is also aware that on occasions, a consensual relationship between staff and student may develop. In these cases, the employee must report the relationship to their line manager as soon as possible as this could present a conflict of interest and there is a need to safeguard the student, themselves, and the college.

The College also recognises that consensual relationships may happen between two staff members if this is the case again this could cause a conflict of interest and a line manager should be informed to mitigate and concerns.

The Sexual Offences Act 2003 (Sections 16 to 21) prohibits sexual contact between a person and another person aged under 18 where such a relationship would be an abuse of a position of trust

between the parties. This includes situations where the young person is attending an educational institution.

For Students

Any sexual harassment by a student towards a staff member or another student will be reviewed and consisted under the student disciplinary process and action will be taken as per this procedure which can include expulsion from the college.

Reporting channels

Any one within the college is encouraged to formally report any cases of sexual harassment whether they are the recipient for the behaviour or are a witness to this. they should report this as soon as is reasonably practicable.

For Staff

Staff should make a complaint to the HR team who can advise them on how to proceed, these will normally be processed through the college grievance procedures. If the complaint is against a student, then a Course Director and the Safeguarding lead will also be informed by the HR team, and they will follow the Student Disciplinary policy.

If another staff member becomes aware of sexual harassment between a colleague and a student or another staff member, they should seek advice from HR who will follow the relevant process as stated above.

Sexual harassment can also lead to situations where there is coercive or predatory behaviour. If intimate relationships arise between Colleagues and any person has a concern about any predatory or coercive behaviour, they should inform their line manager or a relevant senior manager who is obligated to ensure that this report is recorded and should liaise with HR to determine how to proceed the investigation.

For Students

Any Student complaint related to sexual harassment, including witnessing this behaviour should be reported to a Course Director or/and the Safeguarding Lead. If the complaint involves a member of staff the HR team will be informed and involved accordingly.

Investigations into Allegations or complaint

Following the receipt of an sexual harassment complaint or allegation an investigation will take place with the relevant manager (HR or Course Directors) through the relevant grievance or student disciplinary process.

Sexual harassment in some circumstance can lead to a criminal investigation being instigated into the actions of the staff member or student. Where there are concerns that a criminal act has taken place.

Throughout the whole process confidentiality will be maintained, in line with Andy requirements to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the person reporting the issue or to others involved.

Support and advice

For Staff

There are other sources of internal and external support available staff prior to making a complaint or during the process:

- Health Assured – EAP - <https://healthassuredeap.co.uk/log-in-page/>
- HR department
- Line managers
- Safeguarding lead
- Citizens Advice – <https://www.citizensadvice.org.uk/law-and-courts/discrimination/taking-action-about-discrimination/taking-action-about-harassment/>
- ACAS – <https://www.acas.org.uk/sexual-harassment/get-help-and-support>

For Students

For students, please see the below lines of support:

- Safeguarding lead
- Course Directors
- Student Advisors Team
- Samaritans - <https://www.samaritans.org/how-we-can-help/contact-samaritan/>
- Victim Support - <https://www.victimsupport.org.uk/>
- LGBT foundation - <https://lgbt.foundation/how-we-can-help-you>