



Sexual Harassment and Misconduct Policy

Field	Detail
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Linked policies	PC 5.3 Equality Diversity and Inclusion Policy; SWS 7.6 Student Disciplinary Policy; SLCC 6.3 Complaints Policy and Procedure; SWS 7.1 Student Support and Wellbeing Policy; SWS 7.7 Safeguarding and Prevent Policy; DIG 2.1 Data Protection and Confidentiality Policy
Audience	All enrolled students at UKCBC

1. Purpose

The purpose of this policy is to provide a comprehensive framework through which UK College of Business and Computing (UKCBC) can prevent, identify, report, investigate and respond to incidents of harassment and sexual misconduct involving students.

The policy seeks to ensure that all students understand what constitutes unacceptable behaviour and are aware of the standards of conduct expected within the College community. It also aims to establish clear and accessible reporting mechanisms so that students can seek support and raise concerns without fear of intimidation, victimisation or retaliation.

In addition, the policy sets out the principles that govern investigations into allegations of harassment and sexual misconduct. The College is committed to ensuring that all investigations are conducted fairly, impartially and in accordance with the principles of natural justice. Individuals who report incidents, those accused of misconduct and any witnesses involved in the process will be treated with dignity and respect throughout.

This policy forms UKCBC's Single Comprehensive Source of Information regarding harassment and sexual misconduct as required by Office for Students Condition E6. In the event of any inconsistency between this policy and any other College policy relating to harassment or sexual misconduct, this policy shall take precedence.

Where any additional provision within this Single Comprehensive Source conflicts with, undermines, or could reasonably be read as qualifying the minimum content requirements of Condition E6, those minimum content requirements shall take precedence.

2. Scope

This policy applies to all students enrolled at UKCBC, irrespective of their mode or level of study. It also applies to prospective students participating in college activities, apprentices studying through College programmes and individuals who engage with UKCBC through placements, educational visits, work-based learning activities or other College-sponsored events.

For the purposes of Office for Students Condition E6, this policy applies to all higher education courses provided in any manner or form by or on behalf of UKCBC, including provision delivered under partnership,

franchise or validation arrangements with UKCBC's awarding partners, and irrespective of mode of study or location of delivery.

In addition to this regulatory scope, UKCBC has chosen to extend the protections and reporting routes described in this policy to prospective students, apprentices and other individuals engaging with College activities, as set out above. This wider application is a voluntary institutional commitment and does not narrow the regulatory scope described in this paragraph.

The policy extends to the conduct of staff members, contractors, consultants, agency workers, visitors, governors and any individual acting on behalf of the College where their behaviour may affect students. UKCBC recognises that power imbalances can exist within educational settings and is committed to ensuring that relationships between students and those in positions of authority are managed appropriately and transparently.

The policy applies to conduct that occurs on College premises, during teaching and learning activities, at social events organised or supported by UKCBC, during placement activities and within digital environments. Behaviour taking place online or through electronic communications may fall within the scope of this policy where it affects a student's participation in College life or creates an intimidating, hostile, degrading, humiliating or offensive environment.

UKCBC further recognises that harassment and sexual misconduct may occur outside College premises while still impacting the welfare and educational experience of students. Where there is a sufficient connection to the College community, such matters may be addressed under this policy.

3. Definitions

3.1 Harassment

For the purposes of Office for Students Condition E6, harassment has the meaning given in section 26 of the Equality Act 2010 and in section 1 of the Protection from Harassment Act 1997.

Harassment under the Equality Act 2010 is unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Whether conduct has that effect is assessed

objectively, taking into account the perception of the person affected, the other circumstances of the case, and whether it is reasonable for the conduct to have that effect.

Protected characteristics under the Equality Act 2010 include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Harassment can occur as a one-off incident or as a pattern of behaviour over time. A person may experience harassment even if it was not intended to cause offence, distress or harm. The impact of the behaviour, rather than the intention behind it, is an important consideration.

Harassment may be directed at an individual or a group of individuals and may occur in person, in writing, online, through social media, via electronic communications or through any other medium.

3.2 Sexual Harassment

Sexual harassment is a specific form of harassment and refers to unwanted conduct of a sexual nature that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

The conduct may be physical, verbal, written or non-verbal and may occur in person or online.

Sexual harassment can include, but is not limited to:

- Unwelcome sexual comments or jokes

- Sexual remarks about a person's body, clothing or appearance
- Repeated requests for dates or sexual activity after rejection
- Making sexually suggestive gestures
- Displaying sexually explicit material
- Sending unwanted sexual messages, emails or images
- Sharing intimate images without consent
- Sexualised comments in teaching, learning or social environments
- Unwanted flirting or sexual advances
- Staring, leering or other behaviour of a sexual nature that causes discomfort

The College recognises that sexual harassment can occur regardless of the sex, gender identity or sexual orientation of those involved.

3.3 Sexual Misconduct

For the purposes of Office for Students Condition E6, sexual misconduct means any unwanted, or attempted unwanted, conduct of a sexual nature, and includes but is not limited to sexual harassment, sexual assault and rape. UKCBC additionally treats the following as sexual misconduct:

- Sexual harassment
- Sexual assault
- Sexual violence
- Rape
- Attempted rape
- Unwanted touching or physical contact
- Coercive sexual behaviour
- Sexual exploitation

- Voyeurism
- Indecent exposure
- Image-based sexual abuse
- Stalking of a sexual nature
- Online sexual abuse
- Grooming
- Abuse of power for sexual purposes

The College recognises that some forms of sexual misconduct may constitute criminal offences. Where appropriate, individuals will be encouraged and supported to report matters to the police. UKCBC may continue its own risk management and disciplinary processes independently of criminal investigations where appropriate.

3.4 Sexual Assault

Sexual assault involves intentional sexual touching of another person without their consent.

Sexual assault may involve any unwanted physical contact of a sexual nature and can range from inappropriate touching to more serious forms of sexual violence. Sexual assault is a criminal offence and may also constitute a serious breach of this policy and related disciplinary procedures. The absence of resistance does not constitute consent. Consent must be actively and freely given.

3.5 Consent

Consent is a freely given, informed and voluntary agreement to engage in a specific activity.

Consent:

- Must be actively given.
- Can be withdrawn at any time.
- Cannot be assumed.
- Cannot be obtained through coercion, intimidation or manipulation.

3.6 Stalking

Stalking is a pattern of unwanted, obsessive or fixated behaviour directed towards an individual that causes distress, fear, anxiety or concern for their safety.

Stalking may occur in person, online or through third parties and can include: repeated unwanted contact; monitoring an individual's activities; following a person; excessive messaging or communication; repeated gifts or attention after requests to stop; tracking online activity; and using technology to monitor another person.

The College recognises that stalking can have a significant impact on wellbeing and personal safety and will respond to reports seriously.

3.7 Abuse of Power

Abuse of power occurs 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 otherwise have done, including to obtain a sexual, personal or professional advantage.

In educational settings, particular care must be taken where relationships involve differences in power, authority or influence.

Examples may include:

- A staff member seeking a sexual relationship with a student they teach or supervise
- Promising academic or professional benefits in exchange for sexual activity
- Threatening adverse consequences if advances are rejected
- Exploiting a student's dependency or vulnerability

3.8 Relevant Staff Member

A member of staff who has direct academic responsibilities, or other direct professional responsibilities, in relation to a student, including but not limited to teaching, supervisory, assessment, disciplinary, safeguarding, welfare or pastoral responsibilities.

3.9 Intimate Personal Relationship

A relationship involving one or more of the following: physical intimacy, including isolated or repeated sexual activity; or romantic or emotional intimacy.

3.10 Excluded Relationship

An intimate personal relationship that existed before 1 August 2025, being the date Office for Students Condition E6 came fully into effect, or that existed before the staff member concerned became a relevant staff member in relation to the student concerned. An excluded relationship falls outside the prohibition in Section 10 of this policy, but the staff member must still disclose it in accordance with that section.

3.11 Victimisation

Victimisation occurs when an individual suffers a detriment because they have:

- Made a complaint under this policy
- Reported harassment or sexual misconduct
- Supported another individual making a complaint
- Participated in an investigation
- Provided evidence or acted as a witness

Examples of victimisation include social exclusion, intimidation, adverse treatment, threats, retaliation or any action intended to discourage reporting. UKCBC will not tolerate victimisation and will treat such behaviour as a serious disciplinary matter.

3.12 Bullying

Bullying refers to offensive, intimidating, malicious or insulting behaviour involving an abuse or misuse of power that undermines, humiliates, denigrates or injures an individual.

Bullying may be physical, verbal, psychological or digital and may occur repeatedly or as a serious one-off incident.

While not all bullying will amount to harassment under the Equality Act 2010, UKCBC considers all forms of bullying unacceptable and will address them through appropriate College procedures.

3.13 Incident

Includes any occasion on which an allegation or complaint of harassment or sexual misconduct is made to UKCBC, and any occasion on which UKCBC has reasonable grounds to suspect that harassment or sexual misconduct has taken place or is taking place, whether or not a report has been made.

4. Roles and Responsibilities

This section sets out the roles and responsibilities for the preparation, approval and maintenance of this policy, in accordance with UKCBC's Policy Preparation and Version Control Guidance (GA 3.1).

4.1 Policy Sponsor

Chief Academic Officer. The Policy Sponsor is the senior leader accountable for the strategic alignment of this policy and approves the final draft prior to committee submission.

4.2 Policy Owner

Head of Student Support and Experience. The Policy Owner is responsible for drafting and revising this policy's content, consulting relevant stakeholders, ensuring clarity and accessibility of language, and maintaining version control records. This is distinct from the Author named on the cover of this policy, consistent with the convention used elsewhere in UKCBC's policy suite.

4.3 Policy Reviewers

Quality of Education Committee. Policy Reviewers provide specialist advice and regulatory verification and ensure alignment with related policies.

4.4 Approval Committee

Quality of Education Committee, as the Responsible Committee named on the cover of this policy, followed by ratification by the Academic Board, in accordance with the approval route set out in Section 20, Approval and Assurance.

5. Institutional Commitment

UKCBC is committed to fostering a culture of dignity, professionalism, equality, inclusion and mutual respect across all areas of College activity. Harassment and sexual misconduct are fundamentally

incompatible with the values of the College and have the potential to cause significant harm to individuals, undermine educational achievement and negatively affect the wider learning environment.

The College recognises that harassment and sexual misconduct can have profound academic, emotional, physical and psychological consequences for those affected. Such behaviour may also impact witnesses, friendship groups and the wider College community. UKCBC is therefore committed to taking proactive and proportionate measures to prevent harassment and sexual misconduct, respond effectively when concerns arise and continually review its practice to promote student safety and wellbeing.

The College acknowledges that students who experience harassment or sexual misconduct may be reluctant to report incidents because of concerns about confidentiality, fear of retaliation, uncertainty regarding procedures, cultural considerations, previous experiences or concerns that they may not be believed. UKCBC is committed to reducing barriers to reporting and ensuring that those who seek support or report concerns are treated sensitively, fairly and with respect.

In fulfilling its obligations under OfS Condition E6, the College will maintain effective arrangements for prevention, reporting, support, investigation, decision-making and review. These arrangements are intended to make a significant and credible difference in protecting students from harassment and sexual misconduct and in promoting a safe educational environment.

6. Related Procedures forming part of this Single Comprehensive Source

This policy relies in part on the following related College procedures to provide the full detail expected of a Single Comprehensive Source of Information under Office for Students Condition E6. A summary of each is set out below.

Procedure	Purpose	When used	Access
PC 5.3 Equality Diversity and Inclusion Policy	Sets out the College's wider equality and inclusion commitments and obligations under the Equality Act 2010	Where a matter also raises a broader equality or inclusion concern	[link to be confirmed]

SWS 7.6 Student Disciplinary Policy	Governs formal disciplinary action against a student	Following investigation, where a finding may lead to disciplinary sanction	[link to be confirmed]
SLCC 6.3 Complaints Policy and Procedure	Route for complaints and third-party notifications about College action, service or conduct, available to students and non-students	As applicable, including third party notifications under Section 11 (Reporting) of this policy	[link to be confirmed]
SWS 7.1 Student Support and Wellbeing Policy	Sets out wellbeing and pastoral support available to students	Alongside any report, for support regardless of whether a formal process proceeds	[link to be confirmed]
SWS 7.7 Safeguarding and Prevent Policy	Governs safeguarding escalation	Where a safeguarding risk is identified	[link to be confirmed]
DIG 2.1 Data Protection and Confidentiality Policy	Sets out how the College collects, uses, stores, shares and protects personal data, including the role of the Data Protection Officer and data subject rights	Governs how information is handled under Section 12 (Information Handling) of this policy	[link to be confirmed]

7. Publication, Prominence and Historical Versions

This policy is published in a prominent position on the College website, accessible to students and prospective students without the need for a password or other security check. UKCBC will communicate the existence of this policy and how to access it directly, in writing, to all students and staff at least once each calendar year, and will reference it in prospectuses and other documents promoting UKCBC's higher education provision, and in the Student Handbook and Staff Handbook.

UKCBC will retain and make available previous versions of this policy for five years, so that a person can identify which version applied at a given time. A version history is maintained at Section 23 of this document.

8. Prevention and Education

UKCBC recognises that prevention is a core component of an effective institutional response to harassment and sexual misconduct. While robust reporting and investigation procedures are essential, the College aims wherever possible to prevent harmful behaviour occurring in the first place through education, awareness and the promotion of positive behaviours.

The College will take a proactive approach to educating students and staff about harassment, sexual misconduct, consent, healthy relationships, professional boundaries and respectful communication. Educational activities may be delivered through induction programmes, online learning resources, workshops, campaigns, staff development activities and targeted interventions designed to address identified risks.

Students will receive information regarding behavioural expectations within the College community, the meaning of consent, the nature and impact of harassment and sexual misconduct, and the support available to individuals who experience or witness such behaviour. The College will also seek to develop students' confidence in recognising inappropriate behaviours and in understanding how concerns may be raised safely.

Where appropriate, the College will provide bystander awareness initiatives to encourage students to challenge unacceptable behaviour safely and to support others who may be affected. The College will review the effectiveness of prevention initiatives periodically through student engagement, feedback mechanisms and analysis of relevant data.

In determining its prevention priorities, the College will have regard to the prevalence and nature of harassment and sexual misconduct affecting its own student population, drawing on evidence broader than reported incidents alone, including student surveys, feedback and sector guidance. The College recognises that reported incidents may not, on their own, reflect the true extent of such behaviour.

9. Student Information and Mandatory Training

The College recognises that increasing awareness and understanding among students is a key element of preventing harassment and sexual misconduct and creating a safe, respectful and inclusive learning environment.

As part of the College's compliance with Office for Students Condition E6, UKCBC will provide all students with information about this Single Comprehensive Source of Information at registration at the start of each academic year, and will take appropriate steps to support students' understanding of its content.

All new students will receive induction training covering behaviour that may constitute harassment or sexual misconduct, as part of their induction programme.

In addition, all students will be required to undertake mandatory awareness training relating to harassment and sexual misconduct. Training will be developed and delivered via Moodle, the College's virtual learning environment. Responsibility for monitoring completion rests with the Student Support and Experience team, and the College will retain participation records as evidence of compliance.

Student training may include, but will not be limited to:

- Understanding harassment, sexual harassment and sexual misconduct.
- The meaning and importance of consent.
- Healthy, respectful and professional relationships.
- Recognising inappropriate, coercive or abusive behaviour.
- The impact of harassment and sexual misconduct on individuals and communities.
- Bystander awareness and safe intervention strategies.
- Reporting routes and disclosure procedures.
- The support available from the College and external agencies.
- Digital conduct, online harassment and image-based abuse.
- Student responsibilities under College policies.

- Freedom of speech, academic freedom and respectful debate within the law.

Training content will be reviewed periodically to ensure that it remains current, effective and aligned with legislative requirements, regulatory expectations and emerging sector guidance.

The College will evaluate the effectiveness of its awareness and training activities through student feedback, participation data, monitoring information and other relevant evidence, and will use this to inform improvements.

In addition to formal training, the College will undertake ongoing refresher and awareness-raising activities throughout the academic year in the form of campaigns, events, workshops and information resources.

10. Staff-Student Relationships

UKCBC recognises that relationships between staff and students are founded on trust, professionalism and the maintenance of appropriate boundaries. The College acknowledges that relationships involving staff members and students may create actual or perceived conflicts of interest, risks of abuse of power, concerns regarding fairness and objectivity, and potential impacts on student welfare and academic experience. The College is therefore committed to ensuring that relationships between staff and students are managed in a manner that safeguards students and protects the integrity of the educational environment.

The College recognises that staff members may hold positions of authority, influence or trust that can affect a student's academic progress, assessment outcomes, access to opportunities, wellbeing or overall educational experience. Even where a relationship appears to be consensual, differences in power and authority may make it difficult to ensure that consent is freely given or that the relationship does not result in actual or perceived unfairness.

A relevant staff member must not engage in an intimate personal relationship with a student for whom they are a relevant staff member, other than an excluded relationship. Any breach of this prohibition will be addressed under the College's Staff Disciplinary Procedure, up to and including dismissal, in accordance with the College's usual disciplinary process.

Where a relevant staff member is in, or believes they may be in, an excluded relationship with a student, or where any other existing or developing relationship may give rise to an actual, potential or perceived conflict of interest, the staff member must disclose the matter promptly to Human Resources. The College

will consider appropriate measures to manage any identified risks, which may include changes to reporting lines, supervisory arrangements, assessment responsibilities or other professional duties. In taking such action, the College will seek to protect the interests and wellbeing of the student and maintain confidence in the fairness and integrity of its processes. Students will not be disciplined merely for participating in the relationship and will be protected from retaliation.

Failure to disclose a relevant relationship or conflict of interest may result in disciplinary action under the College's Staff Disciplinary Procedure, up to and including dismissal where appropriate.

The College will not tolerate the abuse of power by any member of staff. Behaviour that seeks to exploit a student's dependency, vulnerability, trust or desire for academic or professional advancement for personal, romantic or sexual purposes may constitute a serious disciplinary matter and may also fall within the scope of harassment, sexual misconduct or safeguarding concerns.

This section operates alongside, and should be read together with, the College's Staff Disciplinary Procedure, HR policies and conflict of interest procedures, which set out the corresponding obligations on staff.

11. Reporting Harassment and Sexual Misconduct

UKCBC encourages students to report incidents or concerns relating to harassment and sexual misconduct at the earliest opportunity. The College recognises that choosing to make a disclosure or report can be difficult and that individuals may wish to seek advice and support before deciding whether to pursue formal action.

Students may report concerns through the following channels:

- Email: Wellbeingsupport@ukcbc.ac.uk
- In person or by appointment: Student Services, bookable via email or through the College's Front of House Triage
- By telephone: 020 8518 4994
- Where there is an immediate risk to safety: students are advised to call 999 and ask for the police

Reports may also be raised with the Safeguarding Team, academic staff or wellbeing services, who will direct the individual to the appropriate route above.

The College will seek to ensure that reporting mechanisms are accessible, inclusive and responsive to the needs of diverse student groups. Information about reporting routes will be clearly communicated and readily available through the College website, student guidance materials and induction activities.

The College also recognises that some individuals may prefer not to make a formal report. Students may therefore seek advice, support and information without necessarily initiating disciplinary or investigative procedures.

Anonymous reports may be accepted. Whilst anonymity may limit the College's ability to investigate specific allegations or take direct action, such reports may assist in identifying patterns of behaviour, emerging risks or areas requiring intervention. Anonymous disclosures may also contribute to wider institutional monitoring and safeguarding activity.

Where a report is made anonymously, UKCBC will record and risk assess the information received to the extent possible, and will monitor anonymous reports for patterns or emerging risks as part of the College's wider monitoring and safeguarding activity under Section 22 (Data Monitoring and Review Governance).

The College's ability to investigate a specific allegation, or take action against a named individual, is limited where the identity of the person raising a concern, or of the individual concerned, is not known. Where an anonymous report identifies an immediate risk to safety, the College will take such safeguarding action as is reasonably practicable notwithstanding that limitation.

Staff, witnesses, visitors, placement personnel and other persons wishing to notify UKCBC of a concern or incident are encouraged to do so through the College's Complaints Policy and Procedure (SLCC 6.3), for example by emailing complaints@ukcbc.ac.uk.

12. Information Handling

Information received or obtained in connection with an incident of harassment or sexual misconduct will be handled sensitively and used fairly, in accordance with this section and the College's DIG 2.1 Data Protection and Confidentiality Policy.

Information relating to an incident may include Special Category Personal Data as defined in DIG 2.1, for example information concerning a person's health or sexual life. Such information will be subject to the enhanced safeguards required under DIG 2.1 and Article 9 UK GDPR.

Information will normally be shared only with staff who need to know it in order to assess, support, investigate or make decisions in relation to the matter, such as Student Services, the Safeguarding Team, the investigating officer and, where relevant, decision makers under Sections 14 and 15.

Where a report leads to an investigation, information provided by the reporting student may be used as evidence in that investigation and, where a disciplinary process follows, in that process. The College will explain to a reporting student, so far as reasonably possible, how their information may be used before they decide whether to proceed with a report.

Information will be shared without a student's consent only where the College considers this necessary, such as where there is a serious safeguarding risk, a legal obligation to share information, or a significant risk to the student or others. Students will normally be informed where their information is shared in these circumstances, unless doing so would itself create a risk.

Confidentiality cannot be guaranteed in all circumstances, in particular where safeguarding or legal obligations require information to be shared. The limits of confidentiality will be explained to a student at the point they make a report, so far as reasonably practicable.

Any actual or suspected personal data breach connected with a matter under this policy must be reported to the Data Protection Officer immediately, in accordance with DIG 2.1, at dpo@ukcbc.ac.uk.

13. Support for Students

UKCBC recognises that individuals affected by harassment and sexual misconduct may require practical, emotional, academic and wellbeing support. The College is committed to ensuring that appropriate support is available regardless of whether a formal complaint is made and regardless of whether an investigation proceeds.

Support may be provided to students who have reported or experienced harassment or sexual misconduct, students against whom allegations have been made, witnesses and others affected by an incident. Support needs may vary significantly between individuals, and the College will seek to adopt a person-centred approach wherever reasonably practicable.

Available support may include access to wellbeing services, safeguarding advice, academic support, counselling referrals, external specialist agencies, mental health support and information regarding police reporting options. The College may also consider academic support measures, which may include reasonable adjustments, changes to attendance requirements, and arrangements for continuation, interruption, suspension or cessation of study, to assist a student's continued engagement with their studies.

Support may be made available before, during and after any College investigation or disciplinary process. The College recognises that the impact of harassment and sexual misconduct may extend beyond the conclusion of formal proceedings and support arrangements may therefore continue where appropriate.

Students will not be required to make a formal complaint in order to access support. The College acknowledges that individuals may wish to receive support whilst considering their options and without pursuing formal action.

14. Investigation Procedures

All reports of harassment and sexual misconduct will be assessed promptly, fairly and proportionately. Upon receipt of a report, the College will undertake an initial assessment to determine the nature of the concerns raised, any immediate safeguarding considerations and the most appropriate course of action.

The College may conduct an initial risk assessment to identify whether precautionary measures are required to protect individuals or the wider College community while a matter is being considered. Precautionary measures may be imposed by the Head of Student Support and Experience where there is a credible and immediate risk to the safety or wellbeing of a student or other member of the College community. Precautionary measures will be proportionate to the identified risk, will be reviewed at least every two weeks and will be lifted as soon as they are no longer necessary. A student subject to a precautionary measure has the right to request that it be reconsidered by the Director of Education. Precautionary measures do not constitute a finding that the allegations are true and will not be treated as a disciplinary sanction.

Formal investigations will be conducted by appropriately trained individuals who have no actual or perceived conflict of interest in the matter. Investigations will seek to establish relevant facts through the collection and consideration of evidence, including documentary evidence, witness evidence and other relevant information.

Investigators will be appointed by the Head of Student Support and Experience, and will be independent of the decision maker for that case. Where an allegation concerns a member of staff, the investigation will additionally be conducted in accordance with the College's Staff Disciplinary Procedure. Standard terms of reference will be issued to the investigator for each case, setting out the scope of the investigation and the matters to be determined.

The College will ensure that investigations are conducted in accordance with principles of procedural fairness and natural justice. Individuals who report concerns and those against whom allegations are made will be given a reasonable opportunity to participate in the process and provide relevant information.

The standard of proof applied in internal investigations shall be the balance of probabilities. Findings will therefore be based on whether it is more likely than not that the alleged conduct occurred.

The College aims to complete investigations within thirty working days wherever reasonably practicable. However, some matters may require additional time due to complexity, availability of evidence, involvement of external agencies or other relevant factors. Where delays occur, affected parties will normally be informed.

Some forms of sexual misconduct may constitute criminal offences. Students will be supported should they choose to report matters to the police.

The College may continue internal risk management or disciplinary processes independently of criminal investigations where appropriate and lawful to do so.

UKCBC may assess and respond where it has reasonable grounds to suspect that harassment or sexual misconduct has occurred or is occurring even in the absence of formal reporting.

15. Decisions and Outcomes

Following the completion of an investigation, the College will consider all available evidence and determine, on the balance of probabilities, whether the alleged conduct occurred and whether it constitutes a breach of College policies or regulations. Decisions will be made by appropriately trained individuals and will be fair, impartial and proportionate.

Where an allegation is substantiated, the College may take a range of actions depending on the seriousness of the conduct and the circumstances of the case. Outcomes may include:

- No further action.
- Educational or restorative interventions.
- Formal warnings.
- Behavioural agreements.
- Restrictions or conditions.
- Referral to disciplinary procedures.
- Suspension or termination of student registration in serious cases.
- Referral to external agencies where appropriate.

Persons directly affected by a decision made under this policy, including a student who reported or experienced the alleged conduct and a student against whom an allegation was made, will be informed in writing of the outcome, the reasons for the decision, any relevant next steps, available support and any right of appeal. This information will be provided within 10 working days of the decision being made.

The information provided to each party may differ depending on their role in the matter and any confidentiality or data protection considerations that apply, but each party directly affected will always be informed of the outcome so far as it affects them and of any right of appeal available to them.

The College may continue to provide support, safeguarding arrangements or other risk-management measures following an outcome where these are considered necessary and proportionate.

Records of decisions and outcomes will be maintained in accordance with data protection and records management requirements. The College will use lessons learned from investigations and outcomes to strengthen prevention initiatives, training programmes, support services and institutional practice.

Where a matter has also been considered by a criminal court, professional regulator or another external body, the College reserves the right to take account of relevant findings when determining appropriate institutional outcomes. However, the College's decision-making processes remain independent and are based upon the balance of probabilities rather than any criminal standard of proof.

Where concerns relate to a member of staff, outcomes may include management action, professional development requirements, formal disciplinary proceedings or other measures in accordance with relevant employment procedures. In serious cases, disciplinary action may result in dismissal.

16. Appeals

Students will have the right to appeal decisions made under this policy.

Appeals may be submitted where there is evidence of procedural irregularity, new information has become available, or the outcome is considered unreasonable or disproportionate, and must be submitted within 10 working days from the outcome of investigation.

Appeals will be considered by an individual or panel not previously involved in the case.

Appeals will be heard by the Director of Education, who will not have been involved in the original investigation or decision.

The 10 working day appeal deadline set out in this section is the definitive deadline for the purposes of this policy. Any related student facing guidance, including induction materials and the College website, should reflect this deadline consistently.

17. Freedom of Speech and Academic Freedom

UKCBC is committed to protecting freedom of speech within the law and academic freedom. In implementing this policy, the College will have particular regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom, and tolerance for controversial or unpopular views, alongside its legal and regulatory responsibilities and the importance of exposing students to a diverse range of ideas, opinions and perspectives.

The College recognises that lawful academic debate may sometimes involve discussion of challenging, controversial or potentially sensitive issues. Exposure to such material does not automatically constitute harassment. In accordance with OfS Condition E6, the College will apply a rebuttable presumption that teaching materials, academic content, research activities and discussions connected with higher education study are unlikely, in themselves, to amount to harassment.

The College will seek to balance the rights of individuals to express lawful viewpoints with the rights of others to study and work in an environment free from unlawful discrimination, harassment and sexual misconduct. Decisions made under this policy will therefore take into account the specific facts and circumstances of each case, relevant legal requirements and applicable freedom of speech considerations.

18. Staff Training

UKCBC is committed to ensuring that all staff responsible for receiving disclosures, safeguarding concerns, investigations, decision-making and appeals are appropriately trained and equipped to carry out their responsibilities effectively, fairly and consistently.

All staff with responsibilities under this policy will receive mandatory and refresher training appropriate to their role and level of responsibility. The College will ensure that training is regularly reviewed and updated to reflect legislative changes, regulatory requirements, sector guidance and emerging best practice.

Staff must complete mandatory training appropriate to their role before undertaking any of the following: receiving disclosures, conducting investigations, making decisions, or hearing appeals under this policy. The following roles are required to complete this training before undertaking such responsibilities: Director of Education; Head of Student Support and Experience; Student Support and Experience Manager; Student Support and Experience Officers; and Assistant Lecturers.

Training will normally include:

- Harassment, sexual harassment and sexual misconduct, including recognising behaviours that may constitute misconduct.
- Safeguarding responsibilities and appropriate referral procedures.
- Equality, diversity and inclusion legislation, including the Equality Act 2010.
- Principles of natural justice, procedural fairness and impartial decision-making.
- Trauma-informed approaches to receiving disclosures and supporting students.
- Freedom of speech and academic freedom obligations and their interaction with this policy.
- Data protection, confidentiality and information-sharing requirements.

- This policy as UKCBC's Single Comprehensive Source of Information, and the College's obligations under Office for Students Condition E6.
- Supporting both a person who has reported or experienced harassment or sexual misconduct and a person against whom an allegation has been made.

The College will maintain appropriate records of staff training and development to support compliance with regulatory requirements and continuous improvement.

19. Non-Disclosure Agreement

UKCBC is committed to promoting transparency, accountability and student confidence in the reporting and investigation of harassment and sexual misconduct. Students who experience or report harassment or sexual misconduct should be able to seek support, raise concerns and discuss their experiences without fear of being prevented from doing so by contractual or other restrictions.

In accordance with OfS Condition E6, UKCBC will not enter into, enforce or rely upon any non-disclosure agreement (NDA), confidentiality clause or similar arrangement that has the purpose or effect of preventing or restricting a student from disclosing information relating to allegations, reports or experiences of harassment or sexual misconduct.

This prohibition applies to all College documentation and processes, including complaints settlements, disciplinary outcomes, HR documentation and any externally drafted legal agreements used by the College.

Students retain the right to discuss such matters with family members, friends, professional advisers, support services, legal representatives, the police, regulators, statutory agencies or any other appropriate person. The College will not seek to discourage or penalise students for making lawful disclosures or accessing support in relation to harassment or sexual misconduct.

20. Approval and Assurance

Before this policy is approved, the Policy Owner will provide the Quality of Education Committee with a compliance assurance statement confirming that: (a) the policy content has been reviewed against each requirement of Office for Students Condition E6.1 to E6.11; and (b) the operational arrangements described

in this policy, including reporting systems, staff training, investigation and decision making capacity, and monitoring arrangements, are in place and ready to support the policy from its effective date.

This assurance will be documented in an E6 compliance matrix, to be reviewed and refreshed at each scheduled review of this policy, and made available to the Quality of Education Committee and Academic Board on request.

Given the regulatory significance of this policy as UKCBC's Single Comprehensive Source of Information under Condition E6, this policy will be reviewed and recommended by the Quality of Education Committee, as the Responsible Committee named on the cover of this policy, before formal ratification by the Academic Board, consistent with its strategic oversight role for regulatory compliance policies. The approval date will be entered once ratification is confirmed.

21. Operational Readiness

This policy will not take effect until the Policy Owner has confirmed to the Quality of Education Committee that the following are operational: the reporting channels described in Section 11; trained investigators and decision makers as described in Sections 14 and 15; appeal arrangements as described in Section 16; safeguarding escalation routes, in conjunction with the Safeguarding and Prevent Policy (SWS 7.7); student support provision as described in Section 13; staff training as described in Section 18; and the monitoring arrangements described in Section 22.

This confirmation will be recorded in the minutes of the meeting at which the policy is approved. Where operational readiness has not yet been achieved at that point, the policy may instead be approved subject to a defined implementation date, to take effect once readiness is confirmed.

22. Data Monitoring and Review Governance

UKCBC will monitor the effectiveness of this policy through the collection and analysis of anonymised data relating to reports, investigations, outcomes and support provision.

The College will use this information to identify trends, evaluate interventions, inform prevention strategies and enhance student safety.

An annual report on the operation of this policy will be presented to the Responsible Committee named on the cover of this policy, currently Quality of Education. The report will include, as a minimum: reporting

volumes; case outcomes; timescales against the targets in this policy; appeals and their outcomes; equality and diversity monitoring; staff and student training completion; recurring themes; and actions arising.

UKCBC will maintain the capacity and resources necessary to comply with Office for Students Condition E6, including sufficient trained staff, appropriately resourced investigation and decision making arrangements, and access to specialist support where required. Responsibility for ensuring adequate capacity and resources rests with the Director of Education.

This policy will be reviewed annually, or sooner where required by legislative, regulatory or operational developments. The review will take account of student feedback, incident data, sector guidance and the requirements of the Office for Students.

UKCBC is committed to continuous improvement and ensuring that its approach to harassment and sexual misconduct remains effective, fair and aligned with best practice in higher education.

23. Version History

Version	Date	Author	Summary of changes	Status
1.0	November 2025	Head of Registry	Original draft.	Not yet approved
1.1 (working draft)	[date to be confirmed]	Head of Registry, with Director of Governance, Quality and Student Success	Working redraft addressing Committee review comments 1 to 16 and the E6 compliance gap analysis: aligned regulatory definitions; added Roles and Responsibilities, Related Procedures, Publication and Historical Versions, Information Handling, Approval and Assurance, and Operational Readiness sections; strengthened staff-student relationship, reporting, investigation,	For review

SWS7.3 Sexual Harassment and Misconduct Policy - Version 1.0

			decision, appeal, freedom of speech, training and monitoring provisions.	
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