

New City College  
Harassment and Sexual Misconduct Policy  
2021/22

<b>Title:</b>	Harassment and Sexual Misconduct Policy
<b>Document Owner:</b>	HE Quality & HR
<b>Date approved:</b>	August 2021
<b>To Be reviewed:</b>	August 2023
<b>Approval Committee:</b>	Higher Education Committee

## Table of Contents

1. Overall Aim.....	3
2. Scope.....	3
3. Definition .....	3
4. First Step: informal process.....	3
5. Second Step: informal process .....	3
6. Investigation.....	4
7. Outcome .....	4

## 1. Overall Aim

- 1.1. This Policy is designed to protect all staff and students from any forms of sexual harassment, sexual violence and sexual misconduct.
- 1.2. Any reports of sexual harassment, sexual violence and sexual misconduct will be investigated and any staff or students found to be behaving contrary to this policy will be dealt with through internal disciplinary procedures.

## 2. Scope

- 2.1 This policy regarding sexual harassment, sexual violence and sexual misconduct applies to staff, students or third parties (for example visitors or contractors).

## 3. Definition

- 3.1 Harassment (as defined under the Equality Act 2010) is unwanted conduct related to an appropriate protected characteristic that has the purpose of violating an individuals' dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 3.2 Sexual misconduct is a form of harassment and unacceptable behaviour of a sexual nature. This can include sexual violence, sexual harassment, grooming, coercion, sexual comments, sexual non-verbal communication, sharing sexual images / sexting and advancement in return for sexual access.

## 4. First Step: informal process

- 4.1 Provided that the issue is not considered serious, an informal approach can often be the quickest way of resolving concerns. Staff should speak with their line manager or HR. Students should speak to either their teacher, personal tutor, progress coach, or Senior Curriculum Manager responsible for their course or programme. If this does not resolve the issue then a formal complaint can be made.

## 5. Second Step: formal process

- 5.1 Students who have witnessed or experienced harassment or sexual misconduct by another student or a member of staff may make a formal complaint to [complaints@ncclondon.ac.uk](mailto:complaints@ncclondon.ac.uk)
- 5.2 A student can contact a Student Adviser to support them through the reporting process using the following:

For HE Students: [HE.SupportDesk@ncclondon.ac.uk](mailto:HE.SupportDesk@ncclondon.ac.uk)

For FE, students a student support team is available at each campus. Contact details for each are listed on the VLE.

## 6. Investigation

- 6.1 The member of staff carrying out an investigation into a complaint (the investigating manager) will be independent to the source of the complaint, and not involved in the situation which has given rise to the complaint. The investigating manager is required to look into the complaint objectively, thoroughly and with impartiality.
- 6.2 Where there is a concern that a criminal act has occurred then the investigating manager must take advice from the Campus Safeguarding Lead.
- 6.3 The investigating manager will conduct meetings and carry out other forms of Investigation, as appropriate, in order to report to the complainant as soon as possible. Example reasons for potential delays in response to the complainant include periods of College holiday, staff absence, or if the complaint is closely linked to another college process such as grievance or disciplinary.
- 6.4 The investigating manager will respect appropriate confidentiality for as long as is practicably possible. Details will be shared with staff who need to know in order to carry out the investigation. However, if a complaint is made against a member of staff, the identity of the complainant will be disclosed to that member of staff. If there are any reasons why this should not happen, this should be discussed with the Group Director of Quality and noted in the record of the complaint. Any person implicated in a complaint will be informed of the nature of the complaint and have the right to state their understanding of the situation as part of the investigation.

## 7. Outcome

- 7.1 The Reporting Person will be informed of the outcome of their complaint, and will be asked to respect the confidentiality of the outcome.
- 7.2 Where appropriate outcome information will be shared to minimise the effect on the parties' work or study.

This Policy should be read in conjunction with the following College documents and policies:

- Safeguarding Policy
- Staff Harassment and Bullying Policy
- Staff Consensual Relations Policy
- Student Code of Conduct
- Student Disciplinary Policy