

Sexual Harassment and Misconduct Policy

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Website		Х					
Intranet						1	
Thrive			Х			1	
Staff Comms					\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Х	
Student Comms					X		



Revision History

Version	Date	New/Replaceme nt	Summary of Changes
1	May 2024	New	Implemented following external audit review to align with OfS Recommendations.
2	May 2025	Revision	 Formatting changed to align with policy protocols agreed Updated throughout with reference to new condition of registration, E6 Appendix B added to reference members of Sexual Misconduct Risk Management Panel
	June 2025	Revision following review by Principalship	 Policy Scope amended to clarify that UCEN Manchester operates on campuses with under-18 students Investigation and disciplinary section updated to ensure staff know how to report incidents of sexual harassment and misconduct Appendix for Panel to be included (may be subject to further amends)



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Policy Statement

UCEN Manchester is committed to providing safe and respectful campuses where all students and staff are protected from sexual harassment and misconduct. The institution will take all reports of sexual misconduct seriously, responding with clear procedures, appropriate support, and proportionate action in line with our responsibilities to the wellbeing and welfare of our community.

Policy Aims and Objectives

The aims and objectives of this policy outline UCEN Manchester's commitment to preventing sexual misconduct, supporting those affected, and promoting a safe, respectful environment for all members of the community.

Aims

- To create and maintain a safe and respectful learning and working environment, free from sexual harassment and misconduct.
- To ensure that students and staff understand what constitutes sexual misconduct and how to report concerns or incidents.
- To provide clear procedures for handling disclosures and reports in a sensitive, timely, and fair manner.
- To promote a culture of awareness, prevention, and accountability through training, education, and communication.

Objectives

- To define and communicate expected standards of behaviour regarding consent, respect, and personal boundaries.
- To outline the roles and responsibilities of staff and students in preventing and addressing sexual misconduct.
- To ensure that appropriate support services are available and accessible to all individuals affected by sexual misconduct.
- To comply with regulatory requirements, including OfS Condition E6, and other legal obligations relevant to safeguarding and equality.
- To review and improve policy and practice regularly through feedback, data monitoring, and engagement with the UCEN Manchester community.

Scope

At UCEN Manchester, the Sexual Harassment and Misconduct Policy encompasses all adult students and staff. This includes individuals enrolled in part-time courses, guest speakers/lecturers, administrative, facilities, and support staff.

This policy applies to all students, staff, and stakeholders of UCEN Manchester. It is important to acknowledge that UCEN Manchester operates within a broader Further Education (FE) college environment, sharing campuses and facilities with The Manchester College. As such, the policy must be understood and implemented in the context of a multi-institutional setting, where students under the age of 18 may also be present. This context informs our safeguarding responsibilities, behavioural expectations, and the application of procedures across shared spaces.



Definitions

Sexual harassment and sexual misconduct are related concepts that both involve inappropriate behaviours of a sexual nature, but they differ in scope and context.

- Sexual harassment refers to unwanted sexual advances, inappropriate touching, explicit derogatory statements or sexually discriminatory remarks or jokes which cause the person to feel embarrassed, threatened, patronised or harassed. The behaviours create a hostile, intimidating, or offensive learning environment. Sexual harassment is a form of sexual discrimination which contravenes the Equality Act 2010.
- Sexual misconduct is any unwelcome sexual behaviour conducted without consent and ranges from inappropriate sexual behaviours to sexual harassment and assault. It often involves actions that disregard boundaries, exploit power dynamics, or undermine consent, and it may have legal implications beyond anti-discrimination laws leading to criminal convictions, especially in relation to incidents of sexual assault (Sexual Offences Act 2003).

It is important to note that neither sexual harassment nor sexual misconduct is limited to interactions between individuals of different genders and can occur between individuals of the same gender.

Appendix A provides a comprehensive list of behaviours which would be considered examples of sexual harassment and misconduct.

Context within Higher Education

Any form of harassment has a negative impact on the learning and working environment at UCEN Manchester. Sexual harassment and misconduct are serious societal problems that affect the safety and wellbeing of students and staff in universities and colleges. They can also have negative impacts on the academic performance, mental health, and future prospects of those affected.

Therefore, UCEN Manchester has a legal and moral duty to prevent, address, and respond to sexual harassment and misconduct in our institution. Additionally, the Office for Students (OfS), the regulator for higher education in England, has issues a condition of regulation:

<u>Condition E6: Harassment and sexual misconduct - Office for Students</u>



How students can disclose and report

Both disclosure and reporting are important steps in addressing sexual harassment and misconduct, and students may choose to disclose or report based on their own preferences, needs, and circumstances. Students can disclose or report to any member of UCEN Manchester staff so everyone needs to be aware of the distinction between disclosure and reporting and be prepared to respond appropriately to both.

Disclosure refers to the voluntary sharing of information about an incident of sexual harassment or misconduct for support or validation, while reporting involves the formal communication of information to initiate a process of investigation and intervention by UCEN Manchester.

- 1) **Disclosure**: making new or secret information known this could be to, for example, to any member of staff at UCEN Manchester. They may not want to report formally at this stage.
- 2) **Report**: formally reporting the incident(s) to UCEN Manchester to be processed through our disciplinary regulations and procedures and/or the police. Making a report inherently involves the act of making a disclosure, but making a disclosure does not necessarily always lead to making a formal report.

In student handbooks and at induction, we encourage students to speak to Personal Tutors in the first instance but given the sensitivity of this, students will most likely disclose to those they trust.

Anyone in the UCEN Manchester Community, including students, staff, guest lecturers, visitors, contractors can make a report using the tool on our website: Reporting Incidents | UCEN Manchester

The staff training module 'Creating a Safe and Respectful Campus: Responding to incidents of Sexual Harassment and misconduct' provides detailed guidance on how to support students who have made a disclosure and report and the expectation is engagement with this training should ensure all staff are able to respond appropriately.

Once a disclosure and report has been received, staff should contact the Future U Student Support Team to ensure support is put in place for the students. Staff should be aware the student, is most likely to be signposted to specialist services to include Manchester Rape Crisis Centre <u>Listen</u>, <u>Believe</u>, <u>Support | Manchester Rape Crisis</u> and St Mary's <u>St Mary's Centre :: Home (stmaryscentre.org)</u>. Both organisations support students no matter the severity of sexual harassment experienced. All information relating to the Disclosure will be added to EBS Pastoral module by the Future U Team.



Investigation and disciplinary procedure

Both reporting and responding to reports are important aspects of addressing sexual harassment and misconduct within an institution.

- 1) Reporting party: the person reporting themselves to be a victim of sexual misconduct and where they want UCEN Manchester to undertake an investigation into their report.
- 2) Reported party: the person who has been reported to have perpetrated sexual misconduct.

Reports, where students are alleging sexual harassment and sexual misconduct by UCEN Manchester staff to include Guest Speakers will be investigated by Human Resources.

Reports in relation to perpetrators who do not study or work at UCEN Manchester can not be investigated by us. The reporting party will be encouraged and supported to make a report to the police if this is what they wish. They can access support from the Future U Student Support Team.

Per LTE's Preventing Sexual Harassment and Misconduct Policy, if a member of staff feels harassed by a contractor, agency worker or any other third party (including a student), this should be reported to a manager, a member of the Future U Team or HR. This information should be shared with the Employee Relations Team who will then ensure that the matter has been reported to the following for investigation;

- the appropriately senior and nominated representative of the third party (e.g. for allegations against contractors, agency workers, learners within Novus) or,
- the relevant Future U Student Support Team (e.g. for allegations against students)

When reports are subject to a criminal investigation by the police, UCEN Manchester will take no further investigative action until the police investigation has been completed.

In instances, where reports will be investigated by UCEN Manchester, the following actions will be taken:

Acknowledgement of Report:

- Reports made using the reporting tool are received by the Head of Student Support, Advice and Wellbeing. They will contact the reporting party to acknowledge receipt and to advise of next steps within 48 hours of receiving the report.
- Reports received by staff members, should be shared as soon as possible with their Heads of Department.

Initial Assessment:

 The Head of Student Support, Advice and Wellbeing or Head of Department conducts an initial risk assessment of the report to determine its credibility, severity, and whether it falls within the scope of the sexual harassment and misconduct policy or



- disciplinary policy. (Appendix A provides examples of behaviour in scope for this policy)
- Interim measures may be implemented to ensure the safety and well-being of the parties involved, such as no-contact orders, changes to timetable, or temporary suspensions without prejudice.

Formal Investigation:

- If the report is deemed credible and warrants further investigation, it will be referred to the Sexual Misconduct Risk Management Panel who initiates a formal investigation process.
- A minimum of three members of the Sexual Misconduct Risk Management Panel, will be assigned to conduct a thorough and impartial investigation into the allegations.
- If the case is deemed to be high risk, for example an allegation of rape but where the reporting party does not want to report to the police, UCEN Manchester may engage external specialist services.

Gathering Evidence:

 Investigators collect evidence related to the incident, which may include witness statements, documents, emails, text messages, social media posts, and any other relevant information.

Interviews:

 The investigators interview the parties involved, as well as any witnesses identified during the investigation, to gather additional information and perspectives on the incident.

Review of Evidence:

Investigators review all evidence collected during the investigation, assess its
credibility and relevance, and analyse the findings to determine whether the reported
behaviour constitutes a violation of the sexual harassment and misconduct policy.
(Appendix A provides examples of behaviour)

Findings and Report:

• The investigators compile their findings into a written report detailing the investigation process, evidence collected, witness statements, and conclusions regarding whether the reported behaviour occurred and whether it violated UCEN Manchester policies.

Disciplinary Action:

- Disciplinary measures may include formal written warnings, suspension, expulsion, or other sanctions, depending on the severity of the behaviour.
- If the investigation substantiates the allegations of sexual harassment or misconduct, disciplinary action may be imposed on the reported party in line with the Respectful Relationships and Behaviours Policy.



Appeals:

 Both the reporting and the reported party have the right to appeal the outcome of the investigation, or any disciplinary action imposed. These should be made to the Vice Dean.

Resolution and follow-up:

- Once the investigation and any subsequent disciplinary processes are completed, the Chair of the Sexual Misconduct Risk Management Panel communicates the outcome to the parties involved and takes steps to ensure compliance with any disciplinary measures imposed.
- Ongoing support and resources are provided to survivors of sexual harassment or misconduct, and efforts are made to address any systemic issues or concerns identified during the investigation process.

The investigation and disciplinary process should be conducted in a fair, prompt, and impartial manner, with respect for the rights and privacy of all parties involved. The investigation aims to be concluded within 28 working days; however, this is dependent on the complexity and sensitivity of the case.

Both parties are expected to respect the process and should be aware that if they seek to influence or prejudice the investigation in any way, they may be subject to disciplinary action. If either party wants to complain about how this process was conducted, they should be directed to feedback@ucenmanchester.ac.uk

Roles and responsibilities

Below outlines how all member of the UCEN Manchester community can create a safe, respectful, and inclusive environment where individuals feel empowered to report incidents of sexual harassment or misconduct without fear of retaliation.

Sexual Misconduct Risk Management Panel has a responsibility to:

- a. develop, review, and update UCEN Manchester's Sexual Harassment and Misconduct policies, ensuring that they are comprehensive, clear, and aligned with legal requirements and best practices.
- b. implement proactive prevention strategies to reduce the likelihood of sexual harassment and misconduct occurring within UCEN Manchester, including education, training, awareness campaigns, and bystander intervention programs.
- c. establish clear protocols and procedures for responding to incidents of sexual harassment and misconduct, ensuring that they are accessible, transparent, and fair to all parties involved.
- d. lead on the investigation of reported incidents of sexual harassment and misconduct, ensuring that investigations are conducted promptly, impartially, and in accordance with established protocols.



- e. collect and analyse data on incidents of sexual harassment and misconduct within UCEN Manchester identifying trends, patterns, and areas for intervention, and using this information to inform policy and practice.
- f. report regularly to senior leadership, LTE Safeguarding Committee, on UCEN Manchester's efforts to address sexual harassment and misconduct, including progress made, challenges encountered, and recommendations for improvement.
- g. collaborate with external stakeholders, to include GM Sexual Violence Action Network (SVAN) to ensure a GM coordinated and inclusive approach to addressing the societal issue of sexual harassment and misconduct.

All UCEN Manchester managers, to include Directors and Heads of Department, should:

- a. ensure all staff and students are aware of the Sexual Harassment and Misconduct Policy, including through regular communication, training sessions, and dissemination of written materials.
- b. complete the 'Creating a Respectful Campus: Understanding and Responding to Sexual Harassment and Misconduct' and apply the knowledge gained in interactions with students and colleagues.
- c. ensure their staff teams and students engage with the 'Creating a Respectful Campus: Understanding and Responding to Sexual Harassment and Misconduct'
- d. respond promptly and effectively to reports of sexual harassment or misconduct, following established procedures for investigation, resolution, and disciplinary action as outlined above.
- e. ensure students who have experienced sexual harassment or misconduct receive appropriate support from the Future U Student Support Team or external agencies as appropriate.

UCEN Manchester staff have a responsibility to:

- a. familiarise themselves with UCEN Manchester's Sexual Harassment and Misconduct Policy, including definitions, reporting procedures, disciplinary action and support resources available.
- b. complete the 'Creating a Respectful Campus: Understanding and Responding to Sexual Harassment and Misconduct', to include refresher courses, and apply the knowledge gained in interactions with students and colleagues.
- c. recognise signs of sexual harassment or misconduct and respond appropriately when they witness or become aware of such behaviour.
- d. report any incidents of sexual harassment or misconduct that they observe, experience, or are made aware of, following UCEN Manchester's reporting procedures:

 Reporting Incidents | UCEN Manchester
- e. take all complaints of sexual harassment or misconduct seriously, treating reporting students with sensitivity, respect, and confidentiality, and ensuring that appropriate action is taken to address their concerns.



f. signpost students to the Future U Student Support Team - includes emotional and wellbeing support from the Wellbeing Officer; access to counselling as well as free legal advice provided by PAM Assist. They should also refer to external agencies as listed in the What to do When Guide. UCEN MCR What to do when guide.pdf

UCEN Manchester's Students Union has a responsibility to:

- a. promote awareness of UCEN Manchester's sexual harassment and misconduct policy to students through various channels, such as social media, events, and workshops.
- b. ensure students have access to information about support services and resources available for survivors of sexual harassment or misconduct, both within UCEN Manchester and in the broader community.
- c. advocate for the improvement and effectiveness of the sexual harassment and misconduct policy, representing the interests and concerns of students and collaborating with the Director of Student Experience and Engagement to implement necessary changes.
- d. work with UCEN Manchester to ensure reporting mechanisms for sexual harassment and misconduct are accessible, transparent, and responsive to the needs of students, advocating for improvements as necessary.
- e. adopt a zero-tolerance approach to sexual harassment and misconduct within its own activities and events, enforcing policies and procedures to prevent and address inappropriate behaviour.

UCEN Manchester's students have a responsibility to:

- a. refrain from engaging in any form of sexual harassment, including making unwelcome advances, comments, or gestures, whether in person or online.
- b. respect the personal boundaries of others and refrain from engaging in any behaviour of a sexual nature without explicit consent.
- c. engage with and complete all required training related to sexual misconduct, consent, and respectful behaviour.
- d. report any witnessed or experiences of sexual harassment or misconduct to UCEN Manchester, if confident to do so: Reporting Incidents | UCEN Manchester
- e. cooperate fully with any investigations or disciplinary proceedings that may follow their involvement in incidents of sexual harassment or misconduct providing truthful and accurate information.
- f. respect the confidentiality of individuals involved in cases of sexual harassment or misconduct and refrain from sharing sensitive information with others unless necessary for reporting or investigation purposes.
- g. refrain from retaliating against individuals who report incidents of sexual harassment or misconduct, as retaliation is a violation of policy and may result in disciplinary action.
- h. participate in any training or personal tutorial sessions offered by UCEN Manchester aimed at preventing sexual harassment and misconduct, and they should take the information learned seriously.



Future U Student Support Team has a responsibility to:

- a. provide information to students and staff about UCEN Manchester' sexual harassment and misconduct policy, including details on reporting procedures, available support services, and resources for survivors.
- b. offer both parties confidential support and assistance to individuals who have experienced sexual harassment or misconduct, including access to counselling services, referral to PAM Assist for legal advice and other forms of support as needed.
- c. empower students to make informed decisions about how to respond to incidents of sexual harassment or misconduct, respecting their autonomy and providing them with options for reporting and seeking assistance.
- d. facilitate the reporting of incidents of sexual harassment or misconduct by providing guidance on the reporting process, assisting with documentation, and connecting individuals with the appropriate channels for making a report.
- e. follow established protocols for reporting, documenting, and responding to incidents in a timely and appropriate manner, ensuring sensitive information is managed discreetly and shared only on a need-to-know basis.

The Future U Student Support Team will support all students without prejudice which means it will offer support to both the reporting and the reported parties.

Communication of Policy

UCEN Manchester will ensure that:

- All students receive an accessible version of this policy at induction.
- Staff are informed when a particular activity aligns with this policy.
- Staff and students are empowered to actively contribute to and provide feedback on this policy.
- Staff and students are notified of all changes to this policy.

How this policy contributes to our Access and Participation Plan

Many students do not experience equality of opportunity in higher education. This is true across the three main stages of a student's higher education journey: access, participation and progression. The Office for Students, as part of the Access and Participation Plan has introduced the Equality of Opportunity Risk Register (the EORR) which identifies 12 sectorwide risks that may affect a student's opportunity to access and succeed in higher education. The EORR asks providers to consider which, if any, of their prospective or current students are likely to be affected by the risks, and how these might be mitigated. Undoubtedly, sexual Harassment and misconduct impacts on student mental health.

Risk 8: Mental Health

"Students may not experience an environment that is conducive to good mental health and wellbeing."



How we monitor Risk 8:

We will record and monitor students who have citied poor mental health as a consequence of sexual harassment and misconduct in the following ways:

- a) students accessing Future U wellbeing and counselling services
- b) the citing of sexual harassment or misconduct in applications for extenuating circumstances
- c) on-course attainment rates
- d) continuation rates
- e) completion rates
- f) proportions of students progressing to further study
- g) proportions of students progressing into employment

Measuring the impact of this policy

UCEN Manchester is committed to the effective evaluation and measurement of the impact of this policy and reporting on it regularly. The policy has many strands, and the impact will necessarily be assessed in a number of different ways, including monitoring and reporting as follows:

Students

- a. score on Student Induction survey 'Do you know the process for reporting and disclosing of incidents of harassment and sexual misconduct at UCEN MCR? (yes/no)
- b. Compliance with mandatory training
- c. Student lived experience and survey data.
- d. Referrals and waiting list for Future U's Wellbeing Officers.
- e. Service engagement and evaluation
- f. Student attrition and retention data



Appendices

Appendix A: Examples of sexual harassment and misconduct

These examples illustrate the broad range of behaviours that can constitute sexual harassment, it is not exhaustive.

Verbal harassment: Comments, jokes, innuendos, or propositions of a sexual nature, whether explicit or implicit, that create a hostile or uncomfortable environment.

Non-verbal harassment: Unwanted gestures, leering, or sexually suggestive looks that make someone feel uncomfortable or intimidated.

Physical harassment: Unwelcome physical contact, such as touching, hugging, kissing, or groping, without consent.

Sexual advances: Unwanted or inappropriate sexual advances, propositions, or requests for sexual favours, often accompanied by promises of rewards or threats of negative consequences.

Sexual coercion: Pressuring or forcing someone into sexual activity against their will, through threats, manipulation, or abuse of power.

Sexual assault: Any form of non-consensual sexual contact or activity, including rape, attempted rape, or unwanted touching.

Quid pro quo harassment: Conditioning academic advancement, or other benefits on submission to sexual advances, requests, or favours, or retaliating against someone who refuses such advances.

Hostile environment harassment: Creating a hostile, intimidating, or offensive environment through pervasive or severe sexually harassing conduct, including comments, images, or actions that interfere with an individual's ability to work or learn.

References

Equality of Opportunity Risk Register - Office for Students

Good Practice Framework - OIAHE

How to handle alleged student misconduct: case studies (universitiesuk.ac.uk)

Home - LimeCulture

Statement of expectations - Office for Students



Appendix B

LTE Sexual Misconduct Risk Management Panel

The Sexual Misconduct Risk Management Panel (SMRMP) at LTE Group plays a critical role in safeguarding the wellbeing of students and staff by leading the LTE Group's strategic response to sexual harassment and misconduct.

The panel is responsible for developing and maintaining clear, legally compliant policies; implementing proactive prevention strategies such as education, training, and awareness campaigns; and ensuring transparent, fair procedures for responding to incidents.

It leads investigations with impartiality, monitors data to identify trends and areas for improvement, and reports regularly to senior leadership and the LTE Safeguarding Committee. Additionally, the panel works in partnership with external stakeholders to ensure a collaborative, sector-wide approach to addressing sexual violence and misconduct.

Member	Business Unit	Role at LTE Group		
Marie Stock	The Manchester College	Vice Principal, Student Experience and Support		
Andrew Pickles	The Manchester College	Assistant Principal, Foundation Learning and Student Support		
Soabia Hardacre	The Manchester College	Director of Safeguarding and Emotional Health and Wellbeing		
Wendy Pennington	UCEN Manchester	Director of Student Experience and Engagement		
Andrea Elson	UCEN Manchester	Director of Higher Technical Education		
Annette McCone	UCEN Manchester	Head of Student Advice, Support and Wellbeing		
Ryan Vaughn-Milligan	UCEN Manchester	Head of Department		
Francine Warren	UCEN Manchester	Advanced Practitioner, Quality		
Lesley French	UCEN Manchester	Library Manager		
Imtiaz Kala	Total People	Safeguarding Equality Diversity and Inclusion Lead, Teaching and Learning		
Aimee Tolen	Group Professional Services	People Relations Partner, Advisory		



Sexual Misconduct Risk Management Panel (SMRMP) – Incident Escalation Report

In most incidences, reports of sexual harassment and misconduct will be resolved within individual Business Units. However, there may be more complex cases which need to be considered impartially by the Sexual Misconduct Risk Management Panel (SMRMP).

1. Serious or complex allegations involving potential criminal offences

An allegation of sexual assault or rape involving a student or staff member that may also be subject to a police investigation. These cases require coordinated risk management safeguarding oversight, and cross-institutional response.

2. Incidents involving multiple departments or parties across different roles

For example, a report of ongoing sexual harassment involving both students and staff across different faculties or services. This requires Panel oversight to ensure neutrality, consistency, and fairness in how the matter is handled.

3. Patterns or repeat allegations against the same individual

Where multiple reports have been received about the same alleged perpetrator, suggesting a pattern of behaviour that may indicate wider institutional risk or cultural issues. Escalation to the SMRMP enables data review, institutional learning, and safeguarding across the broader community.

When the SMRMP investigate, the following should be noted:

- Membership of Panel, to include Chair, will change per investigation to ensure it reflects the diversity of individuals reporting and being reported.
- A minimum of 3 Panel Members will be involved in an investigation
- An Employee Relations representative will sit on any Panel involving a staff member.

All referrals to the SMRMP should be raised by the Business Unit's Designated Safeguarding Lead:

Section 1: Reporting Details

- Date of Report Submission:
- Name of Reporter:
- Position/Role:
- Business Unit:
- Date Incident Was First Reported to the Business Unit:

Section 2: Incident Overview

- Date(s) of Incident:
- Location(s) of Incident:
- Brief Summary of the Incident (factual, non-judgmental):
 (Include what happened, when, where, and how the concern was raised)

Section 3: People Involved

- Name of Individual(s) alleged to have committed misconduct (Reported party):
- Status (e.g., student, staff, third party):



- ID Number (if known):
- Name of Reporting Party:
- Status (e.g., student, staff, third party):
- ID Number (if known):
- Any witnesses identified? (Yes/No):
- If yes, provide details:

Section 4: Actions Taken to Date

- Safeguarding/Support Referrals Made (e.g., counselling, wellbeing services):
- Interim Measures Implemented (e.g., no-contact order, suspension):
- Disciplinary/Investigation Actions Commenced (if any):
- Date SMT/Legal Services Informed (if applicable):
- Other Stakeholders Informed (e.g., external partners, police):

Section 5: Risk Considerations

- Ongoing Risk to Individuals or Community (specify):
- Potential Reputational, Legal, or Operational Risk to the Institution:
- Recommended Actions or Considerations for SMRMP:

Section 6: Additional Notes / Attachments

• (Attach any relevant reports, emails, or supporting documents)