

Sexual Harassment and Misconduct Policy

Document Control	
Document Type	Policy
Date Approved	May 2024
Approved by	Quality, Curriculum and Standards
Review Date	May 2025
Department	Student Experience and Engagement
Policy Owner	Director of Student Experience and Engagement
Principalship Lead	Vice Dean, UCEN Manchester
Accessible to Students	Yes

BACKGROUND

In recent years, there has been increased attention and awareness around sexual misconduct in higher education, leading many institutions to strengthen their policies and resources in this area. Furthermore, in August 2024, the Office for Students (OfS) announced a new condition of regulation to ensure HEIs make clear their stance on this issue and will have until August 2025 to comply with their guidance. [hsm-condition-and-guidance.pdf](#)

The purpose of the Sexual Harassment and Misconduct Policy is to provide guidelines, procedures, and support mechanisms to address instances of sexual harassment, assault, and other forms of sexual misconduct within the UCEN Manchester community. It should be viewed alongside our Disciplinary Policy and Support for Continuing Studies. In other institutions, reports of sexual harassment and misconduct are considered 'complaints'. At UCEN Manchester, this is not the case so unless students are dissatisfied with how a disclosure or report has been handled by us, they should be directed to this policy and not the Complaints Policy.

We would like to acknowledge Lime Culture [Home - LimeCulture](#) as its research and resources have been invaluable in the creation and development of our approach. Their Sexual Misconduct Risk and Needs Assessment (SMRNA) has proven an effective topic-based risk and needs assessment tool which will be utilised alongside this policy to identify and manage the individual risks and needs of students who report and who are reported for sexual misconduct.

We recognise UCEN Manchester is a provider of higher education, however, where research from universities is quoted directed, the use of the word university remains unchanged as the learnings are applicable to UCEN Manchester.

SCOPE

In scope for this policy are UCEN Manchester students only. To ensure the safety of the UCEN Manchester community it will consider all incidents which take place both on and off campus.

PURPOSE

The purpose of this policy is to ensure UCEN Manchester is able to establish, promote and maintain a safe and respectful learning environment for all students by implementing effective and evidence-based provision, practices, and procedures.

We pursue this aim using a whole institutional approach which includes addressing, reporting, and supporting; openly and transparently recognising and addressing incidences of sexual harassment and misconduct within UCEN Manchester systems, structures and cultures.

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. The purpose of this policy, therefore, is to outline how reports will be investigated.

DEFINITIONS

What is meant by sexual harassment and misconduct?

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

1. **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.
2. **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.

MAIN AIMS OF THE SEXUAL HARASSMENT AND MISCONDUCT POLICY

By addressing sexual harassment and misconduct, the policy aims to foster a learning environment where all individuals feel safe, respected, and valued by:

- a) **preventing** incidents from occurring in the first place, we are committed to raising awareness, providing education and training whilst promoting a culture of respect and dignity.
- b) **protecting** students, we have put in place mechanisms for reporting incidents, ensuring confidentiality, and offering support services.
- c) holding perpetrators **accountable**, we have established clear procedures for investigating complaints, imposing disciplinary measures when appropriate, and ensuring there are consequences for unacceptable behaviour.
- d) ensuring students have access to **emotional and wellbeing support** whilst effectively signposting to specialist external agencies to help them with their experiences.
- e) ensuring **compliance** with anti-discrimination practices, relevant laws, and UCEN Manchester student codes of conduct.
- f) contributing to a broader **cultural shift** towards zero tolerance for sexual harassment and misconduct by challenging attitudes and behaviours that contribute to a culture of silence and victim-blaming to instead promote a culture of respect, equality, and accountability.

WHY ADDRESSING SEXUAL HARASSMENT AND MISCONDUCT MATTERS TO UCEN MANCHESTER

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 provided key recommendations to ensure institutions are meeting their obligations to address sexual misconduct effectively: [Statement of expectations - Office for Students](#)

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 sector-wide 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 cited 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

HOW STUDENTS CAN DISCLOSE AND REPORT SEXUAL HARASSMENT AND MISCONDUCT TO UCEN MANCHESTER

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.

Any one 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 [Listen, Believe, Support | Manchester Rape Crisis](#) and St Mary’s [St Mary's Centre :: Home \(stmaryscentre.org\)](#). Both organisations support students no matter the severity of sexual harassment experienced. All information relating to the Disclosure will be added to the CPOMS platform by the Future U Team.

INVESTIGATION AND DISCIPLINARY PROCESS

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.

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.
- Trained investigators, are 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 will engage the support of 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:

- If the investigation substantiates the allegations of sexual harassment or misconduct, disciplinary action may be imposed on the reported party in line with the Disciplinary Policy under 'misconduct or gross misconduct'.
- Investigators should Refer to Appendix B of Student Behaviour, Disciplinary and Expectations Policy and follow as appropriate.
- Disciplinary measures may include formal written warnings, suspension, expulsion, or other sanctions, depending on the severity of the behaviour.

Appeals:

- Both the reporting and the reported party have the right to appeal the outcome of the investigation or any disciplinary action imposed.

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 foster 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 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. report any witnessed or experiences of sexual harassment or misconduct to UCEN Manchester, if confident to do so: [Reporting Incidents | UCEN Manchester](#)
- d. 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.
- e. 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.
- f. 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.

- g. 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.

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:

Staff

Group Quality Team to conduct audits:

- a. knowledge of policy
- b. engagement with training
- c. responses to reporting

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. Student lived experience and survey data.
- c. Referrals and waiting lists for Future U's Wellbeing Officer and Counselling Service.
- d. Service engagement and evaluation
- e. Student attrition and retention data

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](#)

[hsm-condition-and-guidance.pdf](#)

[Good Practice Framework - OIAHE](#)

[How to handle alleged student misconduct: case studies \(universitiesuk.ac.uk\)](#)



[Home - LimeCulture](#)

[Statement of expectations - Office for Students](#)