



PLUMPTON

COLLEGE

Student Harassment and Sexual Misconduct Policy

This policy comes into effect on 1 August 2025. For matters related to incidents prior to 1 August 2025, please refer to PCG Anti Bullying and Harassment Policy (July 2024). This policy sets out the framework for the College’s approach to preventing and responding to harassment and sexual misconduct. The policy is applicable to all students of Plumpton College.

The policy is applicable to all employees, students and customers of **Plumpton College**.

SMT Assigned Owner	Deputy Principal
Document Author	Director of HE
Approved by	Corporation
Date of Approval	July 2025
Date of minor amendments approved by SMT	
Frequency of review	Annually
Date of next review	July 2026

The SMT is delegated to approve minor changes to the policy in response to legal changes and best practice.

1. Introduction

- 1.1. This policy sets out Plumpton College's approach to preventing and responding to harassment, bullying, and sexual misconduct. It also covers expectations around intimate personal relationships between staff members and students. It outlines the College's zero-tolerance stance on all forms of harassment and misconduct, and underscores the importance of dignity and respect in all interactions.
- 1.2. The College also addresses expectations regarding intimate personal relationships between staff and adult students. These relationships are strictly prohibited due to the inherent power imbalance and safeguarding risks they create. The Employee Code of Conduct Policy prohibits such relationships, regardless of the student's age or whether the relationship is consensual. Pre-existing relationships prior to the policy's implementation must be formally declared to the Human Resources (HR) department. The College will assess these cases individually to determine if any safeguarding measures or adjustments are needed to ensure the safety of the student and uphold professional boundaries.
- 1.3. The policy should be read in conjunction with related College policies, including the Equality and Diversity Policy, Code of Conduct for College Staff, Complaints Policy, Safeguarding Policy, and Student Behaviour Management Policy. When necessary, the Complaints Policy will be applied to investigate allegations of harassment, bullying, discrimination, and/or sexual misconduct.
- 1.4. Plumpton College is committed to fostering a culture that ensures all students are treated with dignity and respect, and where bullying, harassment, and sexual misconduct are never tolerated. This policy encourages transparency and openness, providing a supportive environment for students to disclose any incidents of harassment or misconduct.
- 1.5. This policy applies to student-to-student and staff-to-student incidents, regardless of when or where they occur – if the college determines that the behaviour:
 - is harmful to another member of the College community (students or staff).
 - affects the interests or reputation of the College.
- 1.6. The policy applies equally to all students, including those with protected characteristics. Harassment, bullying, and sexual misconduct are prohibited both in person and online, including through emails, social media, and other digital platforms. This policy should be read in conjunction with the Student IT User Policy and the Online Safety Policy.
- 1.7. The College also has a zero-tolerance approach to staff harassment or bullying. Staff members are encouraged to refer to relevant HR policies, including the Code of Conduct for College Staff, for guidance on reporting and responding to such incidents.

- 1.8. The College is committed to ensuring non-disclosure agreements (NDAs) are not used to prevent individuals from speaking out or raising complaints related to harassment or sexual misconduct. Such agreements will not be permitted in these cases.
- 1.9. While Plumpton College is primarily a further education provider, it is committed to upholding the principles of the Office for Students (OfS), the independent regulator of higher education in England. Specifically, this policy aligns with the Condition of Registration E6, which addresses the prevention of harassment and sexual misconduct within higher education. The College will ensure its approach to safeguarding and misconduct aligns with the expectations set out by the OfS.
- 1.10. Safeguarding, harassment, and misconduct matters relating to further education (FE) students are addressed separately in the College's Child Protection and Safeguarding Policy, Anti-bullying and Harassment Policy, and Student Behaviour Management Policy.

2. Definitions

- 2.1. The following definitions are provided to support clarity and understanding across the College community. Where applicable, these definitions reflect the UK legislation and statutory guidance.
- 2.2. **"Bullying"** is a particular form of personal harassment. It may be characterised as persistent, threatening, offensive, abusive, intimidating or insulting behaviour that may be an abuse of power, position or knowledge. Power does not always mean being in a position of authority but can include both personal strength and power to coerce through fear or intimidation. It may be the use of unfair sanctions. It can happen in public or private, in person, online or via other media.
- 2.3. **"Discrimination"** occurs when someone is treated unfairly or less favourably because of a protected characteristic. Under the Equality Act 2010, protected characteristics include: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Discrimination can be direct (treating someone unfairly because of a protected characteristic) or indirect (when a rule or policy puts someone with a protected characteristic at a disadvantage).
- 2.4. **"Harassment"** is unwanted behaviour or conduct that causes someone to feel intimidated, offended, degraded, or humiliated. It is often related to a protected characteristic, such as race, gender, religion, or disability, and is defined under the Equality Act 2010. This includes harassment by association or perception, and harassment may happen in person or online. In some cases, harassment may also constitute a criminal offence under the Protection from Harassment Act 1997, which defines harassment as a course of conduct that causes alarm or distress

and occurs on at least two occasions. Harassment often includes behaviour towards a person that causes mental or emotional suffering. As such, harassment can take multiple forms, including, but not limited to:

- Physical harassment – unwanted contact, unnecessary touching, assault, gestures or aggressive behaviour.
- Verbal harassment - unwelcome remarks, suggestions and propositions, malicious gossip, jokes based on a person's protected characteristics, for example, their gender or race or a person's age, disability, sexual orientation, or religion.
- Non-verbal harassment - offensive literature or pictures, graffiti and computer imagery, online messages.

2.5 **“Sexual Misconduct”** is a broad term that refers to any unwanted and potentially unlawful conduct of a sexual nature. It encompasses a range of behaviours, from sexual harassment to serious criminal offences such as sexual assault and rape. Many forms of sexual misconduct are defined in law and may lead to disciplinary or legal consequences. For clarity, sexual misconduct includes (but is not limited to):

- Sexual harassment as defined by Section 26(2) *Equality Act 2010*.
- Sexual assault as defined by the *Sexual Offences Act 2003*.
- Rape, as defined by the *Sexual Offences Act 2003*.
- Unwanted physical sexual advances, as outlined in the *Equality and Human Rights Commission: Sexual Harassment and the Law (2017)*.
- Intimidation, coercion, or the offer of rewards or benefits in exchange for sexual favours, as described in the *Equality and Human Rights Commission: Sexual Harassment and the Law (2017)*.
- Sharing explicit or intimate sexual images or videos without consent, as defined by the *Criminal Justice and Courts Act 2015*.
- Upskirting, as defined by the *Voyeurism (Offences) Act 2019*, which involves taking photos or videos under someone's clothing without their permission, with the intention of obtaining sexual gratification, or causing humiliation, distress, or alarm.

2.6 **“Victimisation”** occurs when someone is treated unfairly or less favourably because they have made a complaint under this policy, or because they have supported someone else in making a complaint. This includes people who have acted as witnesses or provided support to someone who has reported bullying, harassment, or sexual misconduct. The college does not tolerate victimisation in any form.

3. **Responsibilities and Governance**

3.1. The College's Governing Body holds ultimate responsibility for the strategic oversight of how the College addresses harassment, bullying, sexual misconduct, and discrimination, ensuring compliance with regulatory expectations.

- 3.2. An annual report outlining case data, trends, and institutional improvements will be submitted to the Governing Body. This report is informed by termly reviews of anonymised data by the Senior Management Team (SMT) and supports policy development, training and student/staff support.
- 3.3. Operational responsibility for implementation lies with the Senior Management Team. Day-to-day monitoring is led by the Safeguarding, Wellbeing, and Students Services teams, including input from curriculum areas and other relevant staff. The College engages student representation to co-develop training and evaluate policy implementation, embedding the student voice in practice.

4. Confidentiality and data protection

- 4.1. The College is committed to handling all reports and investigation of harassment, bullying, and sexual misconduct with sensitivity, discretion, and respect for privacy. Information shared as part of a report or investigation will be treated as confidential and will only be disclosed to those who need to know in order to respond appropriately and to safeguard those involved.
- 4.2. All personal data will be processed in line with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the College's Data Protection Policy.
- 4.3. Allegations of bullying and harassment will always be treated with the intent of maintaining confidentiality to protect the wellbeing of individuals. However, in some cases, the College may be required to break confidentiality and share information internally or with external agencies if:
 - 4.3.1. The person is a child or young person under 18 who has experienced, or is at risk of, significant harm; or
 - 4.3.2. Information is provided about a child or young person under 18 who has experienced, or is at risk of, significant harm; or
 - 4.3.3. That person is a vulnerable adult as set out in the college's Safeguarding Policy who has experienced, or is at risk of, significant harm; or
 - 4.3.4. Information is provided about a person who may be a vulnerable adult who has experienced, or is at risk of significant harm; or
 - 4.3.5. It is believed that there is a risk of significant harm occurring to any individual; or
 - 4.3.6. It is believed that there is a risk to the public; or
 - 4.3.7. the disclosure is otherwise required by or in accordance with the College's duties and obligations under data protection law.
- 4.5. Where it is necessary for the College to break confidentiality, the College will make every effort to explain what information needs to be shared, with whom, and why, wherever possible. Students must be reassured that any reported incident will

always be taken seriously, and their wishes (so far as is possible) will guide any action taken against an allegation of harassment or sexual misconduct.

5. The College's approach to harassment and sexual misconduct

- 5.1. The College is committed to preventing and addressing all forms of bullying, harassment and sexual misconduct in any form affecting students. As such the College is committed to maintain an environment in which bullying, harassment and sexual misconduct is unacceptable.
- 5.2. The College will ensure that its zero-tolerance approach to bullying, harassment and sexual misconduct is clearly communicated to all students and staff.
- 5.3. The College is committed to ongoing education, raising awareness and supporting prevention initiatives to combat harassment and sexual misconduct from occurring in its community.
- 5.4. The College is committed to ensuring that all concerns related to harassment, bullying, discrimination, and sexual misconduct are taken seriously, treated with sensitivity, handled fairly, and addressed in line with safeguarding principles, data protection laws, and statutory requirements.
- 5.5. Appropriate support will be provided to any student that discloses an act of sexual misconduct or sexual harassment.
- 5.6. The College is committed to ensure those who have committed acts of sexual misconduct are held to account through the Complaints Policy or the Staff Disciplinary Policy and/or the criminal justice system where appropriate.
- 5.7. Any allegation of sexual misconduct against a student falling within the scope of this policy will be referred for investigation under the College's Complaints Policy. Necessary and proportionate precautionary action may be taken against an individual who is accused of an act of sexual misconduct (including suspension where authorised by a member of the SMT or the DSL). Those who have been found to have committed an act of sexual misconduct may be subject to sanction, including expulsion.
- 5.8. The College will ensure that those investigating allegations of sexual misconduct under the Complaints Policy are appropriately trained. Where necessary and appropriate, the College may appoint a specially trained external investigator to investigate allegations of sexual misconduct.
- 5.9. Where an incident of sexual misconduct falling within the scope of this policy is reported to the police, the College will liaise with the police as necessary to support its investigation. The College will not take any action that may prejudice

or otherwise interfere with the criminal investigation process; any action taken (where possible) will be discussed and agreed with the lead investigating officer.

- 5.10. Save for any necessary precautionary and/or immediate action, the College may defer the conclusion of its own investigation until the criminal process is at an end.
- 5.11. Any allegations of sexual misconduct against a member of staff will be referred for investigation under the Staff Disciplinary Policy and Procedure.
- 5.12. Where it is concluded following an investigation that an incident of sexual misconduct has occurred, the College will undertake a review. This will assess whether any reasonable steps could have been taken to prevent the incident and identify any further actions required.

6. How to report or disclose an incident

- 6.1. The College encourages students to report any concerns or incidents promptly and have put in place several ways to make this process as accessible, supportive, and confidential as possible.
- 6.2. Students who wish to report bullying, discrimination, or sexual harassment can do so through any of the following channels:
 - **In person:** Students may report incidents in person to any trusted member of academic or pastoral staff, including Student Services, or designated Wellbeing and Safeguarding team members
 - **Email:** Students can email the Wellbeing and Safeguarding team directly at studentwellbeing@plumpton.ac.uk or safeguarding@plumpton.ac.uk who are trained to handle incidents regarding harassment and misconduct.
 - **Online Reporting:** Students can report incidents anonymously or with their details by contacting studentwellbeing@plumpton.ac.uk or through the Safeguarding WhatsApp 07387 411 834. Further details can be found on the college website (www.plumpton.ac.uk)
 - **In writing:** Students may wish to log a concern formally by following the College's formal Complaints Procedure and submit an email to (complaints@plumpton.ac.uk).
- 6.3. Anonymous reports may be submitted, although these may limit the College's ability to respond or investigate fully.

7. What happens when a report is made

- 7.1. Once a report is made, the College is committed to handling it with professionalism, empathy, and urgency.

- 7.2. The College will acknowledge receipt of the report, ensuring that the student who made the report is informed that their concern has been received and is under review.
- 7.3. The report will be reviewed by a designated member of staff, usually a member of the Student Wellbeing and Safeguarding team, who will conduct an initial assessment to ensure the safety of those involved. They will assess the situation, gather further information if needed, and determine the next steps.
- 7.4. If the case is urgent, or involves a serious allegation, the College will take immediate action in line with its Child Protection and Safeguarding Procedure.
- 7.5. Subject to 5.9 above, in cases where further investigation is needed, an impartial investigation process will be carried out in line with the College's Complaints Policy. A disclosure is likely to be highly sensitive and any material collected during an investigation must be capable of supporting any future criminal or civil process; as such the investigation would be jointly led by the DSL and a member of the SMT with DSL responsibilities.
- 7.6. The College's priority is to protect the rights and wellbeing of all parties while ensuring a necessary, proportionate and fair process.
- 7.7. In some cases, and depending on the nature of the allegation, the College may explore informal ways of resolving the incident. This may include:
- Facilitated conversations (where safe and appropriate)
 - Behavioural agreements and boundaries
 - Education interventions or restorative approaches.
- 7.8. Where an informal resolution is not appropriate or possible, a formal investigation will be initiated under the College's Complaints Policy. This will be led by a trained member of staff and trauma-informed with adjustments or support offered to those who may be affected.
- 7.9. In line with the College's Complaints Policy, outcomes of a formal investigation may include sanctions such as a formal warning, behavioural contract, suspension, or permanent exclusion. In cases where a crime may have been committed, the College will involve external agencies in line with its statutory duties.
- 7.10. Any judgements or outcomes reached as part of a formal investigation do not constitute a legal ruling on whether or not criminal activity has taken place.
- 7.11. If an outcome has been reached, and the student is dissatisfied with the outcome, they may appeal as outlined in the College's Complaints Policy. The Complaints Policy provides further information on how to submit an appeal and the process.

8. Student support and wellbeing

- 8.1. Students who disclose having experienced harassment or sexual misconduct and those involved in the process, including those who report and those who are accused of misconduct will be provided with appropriate support.
- 8.2. The first point of contact for students will be the Student Wellbeing and Safeguarding Team to provide 1:1 emotional or wellbeing support. Students can contact the team through the following channels:
- In person by visiting the Wellbeing offices on campus,
 - Electronically by sending an email to studentwellbeing@plumpton.ac.uk,
 - By sending a WhatsApp message directly to the Wellbeing team (Tel 07387411834).
 - Support is also available through the 24hr support helpline provided by Health Assured.
 - If a student prefers to access non college based support they can contact Survivors Network <https://survivorsnetwork.org.uk/> or the Saturn Centre <https://saturncentre.org/contact-us/>, home address location dependent.
- 8.3. The Student Wellbeing Team may need to refer a student to specialist external services.

9. Student responsibilities and code of conduct

- 9.1. The College expects all students and staff to act in a manner that reflects the College's values of being professional, supportive and respectful in all interactions. Students must uphold a safe, inclusive, and welcoming environment for everyone – both in person and online – and treat others with respect and dignity at all times. Harassment, bullying, and discrimination of any form are never acceptable and may result in disciplinary action under the College's Student Behaviour Management Policy, the Complaints Policy, and the Student Code of Conduct
- 9.2. As members of the College community, students are expected to:
- Familiarise themselves with this policy and related documents
 - Report concerns and incidents promptly using the appropriate channels
 - Cooperate fully and honestly with any investigations
 - Avoid engaging in behaviour that could be perceived as harmful, disrespectful, or inappropriate, even if unintentional
 - Support peers in upholding a positive and respectful college culture.
- 9.3. The College is committed to educating and supporting students but will not tolerate conduct that undermines the safety and wellbeing of others.

- 9.4. The College supports the right to lawful freedom of speech and academic expression, recognising that open discussion and the exchange of ideas are fundamental in education. However, this right must be exercised responsibly and within the bounds of the law (Higher Education *Freedom of Speech* Act 2023). The College will not tolerate any speech or behaviour that constitutes harassment, discrimination or hate speech, or that undermines the dignity or safety of others. Students are expected to express their views respectfully and in a way that upholds the College's values and commitment to equality, diversity, and inclusion.

10. Training for students and staff

- 10.1. To ensure a consistent and informed approach to preventing and addressing bullying, harassment, discrimination, and sexual misconduct, Plumpton College is committed to regular and mandatory training, as well as clear internal reporting procedures.
- 10.2. Students will be supported through ongoing education and awareness initiatives aimed at building a respectful and inclusive college culture. This includes:
- Mandatory induction sessions during enrolment that explain student expectations, how to report incidents, and where to find support.
 - Workshops and online learning modules on topics such as consent, respectful relationships, and bystander intervention.
 - Campaigns throughout the academic year to raise awareness and reinforce core messages.
- 10.3. All staff, including academic, pastoral, support, and senior management teams, will receive regular training on:
- Understanding bullying, harassment, discrimination, and sexual misconduct, including their definitions and impact.
 - Recognising signs and responding to disclosures sensitively and appropriately.
 - How to report incidents and escalate concerns in line with College procedures.
 - Legal responsibilities and the College's duties under the Equality Act 2010, OfS Condition E6, and Keeping Children Safe in Education guidance.
 - Promoting a culture of respect, inclusion, and active bystander intervention.
- 10.4. All staff training completion is tracked by HR and delivery of training includes:
- Induction training for all new staff.
 - Mandatory annual refresher training.
 - Specialist training for Designated Safeguarding Leads, Student Services and Wellbeing and Safeguarding Teams.

- 10.5. Training and awareness activities will be developed in consultation with students, staff and external partners to ensure content is relevant, accessible, and impactful.
- 10.6. The College will evaluate the effectiveness of training through student and staff feedback, participation rates, and regular reviews of incidents and trends and reporting patterns. Insights from these evaluations inform improvements to training content and delivery methods