

Harlaxton College Harassment, Discrimination and Sexual Misconduct Policy

Applies to all applicable UK definitions of sexual harassment, harassment, discrimination, sexual violence, domestic abuse/intimate partner violence, stalking, exploitation, and retaliation or victimisation for students, staff, faculty, trustees, and third parties

I. Reason for Policy

Harlaxton College (the “College”) is committed to fostering an atmosphere free from harassment and creating an inclusive campus for all members of the College, regardless of sex, sexual orientation, gender reassignment, religion or belief, race, pregnancy and maternity, marriage and civil partnership, disability or age. Discrimination, harassment, interpersonal violence, sexual misconduct are destructive to such a climate and will not be tolerated in the College community. The Harlaxton College Harassment, Discrimination and Sexual Misconduct Policy (the “Policy”) informs members of the College community about the College’s prohibition against discrimination or harassment based on a protected characteristic, sexual harassment, sexual misconduct, domestic abuse, stalking, sexual exploitation and victimisation (collectively called “Prohibited Conduct”) as defined under the Equality Act of 2010, Protection of Harassment Act of 1997, and Sexual Offences Act of 2003. While the College is not a public authority, it voluntarily aligns with the PSED principles outlined in the Equality Act of 2010. It provides resources, reporting options, and prompt and equitable resolution options. The Policy reinforces the College’s commitment to: (1) preventing and responding to Prohibited Conduct in a matter consistent with applicable UK law; (2) cultivating a climate where all individuals are well-informed and comfortable in reporting Prohibited Conduct; and (3) identifying the standards by which potential violations of this Policy may be evaluated. As outlined in this Policy, the College will take steps to eliminate discrimination, harassment, and sex-based violence, prevent their recurrence, and remedy any discriminatory effects for members of the College community.

II. Policy Statement

The College is committed to an inclusive learning, living, and working community where everyone is treated with dignity and respect. The College does not discriminate against any person in any of its education programs or activities on any basis prohibited by applicable UK law. The College recognises its legal obligations under the Equality Act 2010, including the Public Sector Equality Duty, to eliminate discrimination, advance equality of opportunity, and foster good relations. The Policy also reflects obligations under the Protection from Harassment Act 1997, the Sexual Offences Act 2003, and other relevant statutory guidance. As Harlaxton College is considered a separate campus of US-based University of Evansville, the College also fulfills certain US administrative and reporting obligations as outlined by the Jean Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as amended by relevant provisions of the Violence Against Women Reauthorization of 2013. These obligations do not alter the legal framework governing conduct in the United Kingdom.

This Policy encourages prompt reporting of Prohibited Conduct; identifies persons to whom Prohibited Conduct may be reported; prohibits retaliation against persons who bring reports under this Policy; assures privacy to the extent possible consistent with the need to address and resolve Prohibited Conduct appropriately and foster a safe learning, living and working environment; assures all members of the

College community that each report of Prohibited Conduct will receive a prompt, equitable, impartial and thorough investigation and/or resolution; and provides for appropriate disciplinary or other corrective action.

A person who is determined at the conclusion of an investigation to have committed Prohibited Conduct in violation of this Policy may be subject to disciplinary action, up to and including expulsion or termination. In some circumstances, the College reserves the right to remove a student from the College's education program or activity, or place an employee on administrative leave prior to the conclusion of the Formal Investigation. Some forms of Prohibited Conduct may also violate UK or local law and criminal prosecution may occur independently of any disciplinary action imposed by the College. The College's ultimate goal is to prevent Prohibited Conduct through prevention and education. It is the responsibility of every member of the College community to foster an environment free of Prohibited Conduct. However, if Prohibited Conduct occurs, the College will respond firmly, fairly and in a timely manner, using both informal and formal procedures designed to eliminate the conduct, prevent its recurrence, and remedy any adverse effects of the conduct on individuals, members of the campus community, or College-related programs or activities. All members of the College community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement or seeking assistance from a person in authority. Retaliation/Victimisation against community members who make good faith reports of Prohibited Conduct or who participate in an investigation under this Policy is prohibited.

III. Scope and Jurisdiction

This Policy governs the conduct by or affecting students and staff (faculty and non-faculty), trustees, and third parties and include in person and online conduct that occurs at Harlaxton College and during Harlaxton College related activities.

In this Policy, the individual reported to have experienced Prohibited Conduct is referred to as the Complainant. The individual who is reported to have committed Prohibited Conduct is referred to as the Respondent.

If the Respondent is not an employee or student, the College's ability to take disciplinary action will be limited and is determined by the context of the Prohibited Conduct and the nature of the relationship of the third-party Respondent to the College. A visitor or third-party who is accused of violating this Policy may have their relationship with the College terminated and/or be permanently barred from the College or subject to other restrictions for failing to comply with this Policy.

In instances where the College does not have disciplinary authority over the Respondent or the conduct is unconnected to the College, the College will take steps to support a Complainant or other campus community members by offering reasonably available Supportive Measures and provide assistance in identifying external reporting mechanisms.

Where reported conduct occurred on the University of Evansville campus, or the home campus of a student, or within the scope of University of Evansville or the home campus of the student, programmes

or activities, the University of Evansville or home campus retains primary disciplinary jurisdiction. When a report is made at Harlaxton College and the parties are present on the UK campus, Harlaxton will conduct an immediate safeguarding assessment and implement any necessary interim measures. The two campuses will coordinate to ensure safety, support, and an appropriate institutional response.

Where reported conduct occurred at Harlaxton College or within the scope of Harlaxton programmes or activities, Harlaxton retains primary disciplinary jurisdiction, even if the report is made at the University of Evansville or a student's home campus. When a report is received at the student's home campus, home campus will provide support and conduct a local risk assessment, and will forward the report to Harlaxton for investigation and adjudication. The two campuses will coordinate to ensure safety, support, and an appropriate institutional response.

A. Intersection With other Policies

Student, staff, and faculty conduct is governed by applicable College policies including the following

- Relationships and Professional Boundaries Policy
- Harlaxton Manor Safeguarding Policy
- Harlaxton College Guidance and Staff Handbook

IV. Senior Responsible Employee

The College has designated a Senior Responsible Officer (SRO) for Discrimination, Harassment and Sexual Misconduct reports from students and employees. For the purpose of this policy, the SRO is inclusive of the US-based SRO who provides governance and oversight of the Policy and the UK-based Deputy SRO who is responsible for the day to day management of the Policy. The SRO is responsible for ensuring that the institution meets all Office of Student Condition E6 requirements and compliance with all relevant UK laws. The SRO is also charged with providing education and training; overseeing complaints; coordinating the College's investigation, response, and resolution of all reports of Prohibited Conduct under this Policy; keeping the Board of Trustees informed through annual reports; and maintaining centralized records of all reports, investigations and resolutions in accordance with the GDPR.

The College's SRO is :

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator*

+1 812 488 5621

asills@harlaxton.ac.uk

Cs175@evansville.edu

titleix@evansville.edu

*The College acknowledges that Title IX does not have jurisdiction at Harlaxton.

The College's Deputy SRO is:

Lydia Coupe

HR Officer

01476 403042

lcoupe@harlaxton.ac.uk

If a student believes the College has not handled a sexual-misconduct report appropriately, they may raise the matter with external bodies including the Office of the Independent Adjudicator (OIA), the police, local authority safeguarding teams, the Office for Students (OfS), or the Equality and Human Rights Commission (EHRC). These bodies operate independently of the College and may review concerns about process, safeguarding, or regulatory compliance.

To request disability accommodations, students should contact the University's Office of Counseling Services at (812) 488-2663 or counselingservices@evansville.edu. Employees and other members of the University community should contact the HR Officer at lcoupe@harlaxton.ac.uk.

V. Relationships and Professional Boundaries

The College is committed to maintaining a safe and equitable learning environment. To protect students from actual or perceived abuse of power, conflicts of interest, or breaches of professional boundaries, staff are prohibited from entering into, or continuing, any romantic, sexual, or intimate relationship with a student. This prohibition applies regardless of the student's age, programme of study, or whether the relationship is consensual.

Where a staff member becomes aware of a student attempting to initiate a romantic or sexual relationship, they must report this to the Designated Safeguarding Lead (DSL) or Deputy Senior Responsible Officer (Deputy SRO) in a timely manner.

Where a romantic or sexual relationship exists or develops between staff members in a supervisory, managerial, or otherwise unequal position of power, the staff member in the position of authority must promptly disclose the relationship to Human Resources so that appropriate management arrangements can be put in place.

Breaches of these requirements may constitute misconduct and may lead to disciplinary action.

VI. Definitions of Key Terms

Advisor: The parties may be accompanied by an Advisor at any meeting or proceeding related to the resolution of a report under the Policy. The Advisor may be any person, including an attorney, and need not be affiliated with the College.

Balance of Probabilities: the standard of proof used by the decision maker to determine whether a policy violation has occurred or not.

Complainant: The person who submits a formal complaint under the College's misconduct procedure.

Confidential Resource: member of staff or service within the College who can offer support without automatically sharing personal information with safeguarding or disciplinary teams. Confidential Resources provide a private space for individuals to discuss concerns and explore options. While they aim to keep information confidential, they may still be required to share information if there is a risk of harm to the individual or others, or where the College has a legal or safeguarding obligation to act.

Decision Maker: the individual or panel responsible for determining, on the balance of probabilities, whether a policy violation occurred following a Formal Process. The Decision-Maker reviews the investigation report, considers any permitted statements from the parties, and issues a written outcome. The Decision-Maker is impartial, has received appropriate training, and has had no prior involvement in the matter.

Formal Complaint: a written statement submitted by a reporting party asking the College to initiate the formal resolution process under this Policy. A Formal Complaint must identify the respondent, describe the alleged conduct, and request that the College investigate the matter

Formal Process: The Formal Process is the structured, evidence-based procedure the College uses to investigate and resolve a Formal Complaint under this Policy. It includes fact-finding, interviews, evidence review, a written investigation report, and a determination made on the balance of probabilities. The Formal Process may result in findings of responsibility and, where appropriate, disciplinary action. The Formal Process is initiated only when a Formal Complaint is submitted or when the College determines that a safeguarding duty or significant risk to others requires formal action.

Informal Process: a voluntary, supportive, and non-disciplinary approach used to address concerns raised under this Policy without initiating a Formal Complaint or investigation. It focuses on safety, wellbeing, and early resolution, and may include providing support, implementing supportive measures, offering guidance, or facilitating communication where appropriate. The Informal Process does not involve fact-finding, does not determine responsibility, and does not result in disciplinary action.

Prohibited Conduct: Reported conduct that is a violation of the Harassment, Discrimination and Sexual Misconduct Policy.

Reporting Party: Any person who discloses an incident of sexual misconduct, whether or not they choose to submit a formal complaint.

Respondent: The individual who is alleged to have breached the College's misconduct policy and who is subject to investigation under the formal procedure.

Staff with a Duty to Report: Any staff member who receives a disclosure or concern relating to Prohibited Conduct who must share that information with the College's Deputy SRO. Staff with a Duty to Report are not permitted to promise confidentiality and must follow the College's reporting procedures.

Supportive Measure: Non-disciplinary, non-punitive actions offered to any party affected by a report under this Policy. Supportive Measures are designed to ensure safety, reduce risk, and provide academic, workplace, or wellbeing support. They are available regardless of whether a Formal Complaint is submitted and do not imply any finding of responsibility.

VII. Definition of Prohibited Conduct

This Policy prohibits a broad range of behaviors, which are referred to collectively as "Prohibited Conduct." In determining whether reported conduct violates this Policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the reported conduct and the context in which it occurred. Prohibited Conduct can be committed by or against individuals of any sex, gender, gender identity, gender expression, or sexual orientation, and can occur between individuals of the same or different sex or gender, gender identity, gender expression, or sexual orientation. It can occur between strangers or acquaintances, between individuals involved in a professional relationship, and between people involved in intimate or sexual relationships. Lack of familiarity with University policy is not a defense to a violation of this Policy. Unless specifically noted, intent is not a required element to establish a policy violation. Additionally, intoxication or impairment from alcohol, drugs or other substances is not a defense to a violation of this Policy.

A lack of awareness or understanding of this Policy does not excuse behaviour that breaches it. Unless specifically stated, intent is not required for conduct to constitute a violation of this Policy. Intoxication or impairment due to alcohol, drugs, or other substances is not a defence to Prohibited Conduct.

A. Harassment of Discrimination Based on a Protected Characteristic

- a. **Harassment:** Harassment is unwanted conduct related to a 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 them. Harassment may be verbal, non-verbal, physical, written, or digital, and can occur through a single incident or repeated behaviour. It is also important to note that speech that is lawful, but offensive is not necessarily prohibited unless it meets the threshold of Harassment as defined under the Equality Act.
- b. **Discrimination:** Discrimination occurs when a person is treated less favourably because of a protected characteristic, or when a policy, practice, or decision places someone with a protected characteristic at a particular disadvantage without objective justification. Discrimination may be direct, indirect, or arise from a failure to make reasonable adjustments for disabled individuals.
- c. **Protected Characteristics:** Under the Equality Act 2010, protected characteristics include:
 - i. age
 - ii. disability
 - iii. gender reassignment
 - iv. marriage and civil partnership
 - v. pregnancy and maternity
 - vi. race
 - vii. religion or belief
 - viii. sex
 - ix. sexual orientation

Harassment or discrimination based on any of these characteristics is prohibited under this Policy.

B. Sexual Assault: Sexual assault is any intentional sexual touching of another person without their consent, and without a reasonable belief that they consent. Sexual touching includes any contact with another person's body that is sexual in nature, whether over or under clothing.

- a. **Rape:** Rape is when a person intentionally penetrates another person's vagina, anus, or mouth with their penis without the other person's consent, and without a reasonable belief that the other person consents.
- b. **Consent:** Consent means a person agrees by choice, and has the freedom and capacity to make that choice. Consent must be voluntary, informed, and ongoing. A person does not consent if they are pressured, coerced, manipulated, asleep, unconscious, incapacitated, or otherwise unable to freely choose. Consent can be withdrawn at any time, and previous sexual activity or a prior relationship does not imply ongoing consent.
 - i. Consent must be active, not assumed.
 - 1. Silence, lack of resistance, or absence of a "no" does not constitute consent.
 - ii. Consent requires capacity.
 - 1. A person cannot consent if they are asleep, unconscious, heavily intoxicated, drug impaired, or otherwise unable to understand or communicate a choice.
 - iii. Consent must be freely given.

1. It cannot result from pressure, intimidation, threats, coercion, manipulation, or abuse of power.
 - iv. Consent is specific and situation dependent.
 1. Agreeing to one act does not imply consent to another.
 - v. Consent can be withdrawn at any time.
 1. Once consent is withdrawn, any continued sexual activity is non consensual.
 - vi. Reasonable belief in consent must be based on steps taken to check.
 1. A person must take active steps to ensure the other person is consenting; assumptions are not sufficient
- c. **Incapacitation:** Incapacitation means a person does not have the capacity to give informed, voluntary consent to sexual activity. A person is incapacitated when they are unable to understand the nature of the activity, unable to make a free choice, or unable to communicate their decision. Incapacitation may result from alcohol, drugs, unconsciousness, sleep, extreme intoxication, a medical condition, or any state in which a person cannot freely choose to participate.
- i. A person who is asleep or unconscious cannot consent.
 - ii. Extreme intoxication or drug impairment can remove capacity.
 1. If someone is so intoxicated that they cannot understand, choose, or communicate, they are incapacitated.
 - iii. Incapacitation can be temporary or situational.
 1. It may arise from substances, medical conditions, shock, fear, or dissociation.
 - iv. A reasonable belief in consent requires active steps.
 1. A person must take steps to ensure the other individual is capable of consenting; assumptions are not sufficient.
 - v. Incapacitation does not require total unconsciousness.
 1. Someone may be awake but still unable to understand or communicate a choice.

In evaluating Consent in cases of reported Incapacitation, the College asks two questions: (1) Did the Reported Party or Respondent know that the Reporting Party or Complainant was incapacitated? and if not, (2) Would a sober, reasonable person in a similar set of circumstances as the Respondent or Report Party have known that the Complainant or Reporting Party was incapacitated? If the answer to either of these questions is “yes,” there was no Consent; and the conduct is likely a violation of this Policy. A Respondent/Reported Party’s voluntary intoxication is never an excuse for or a defense of Prohibited Conduct, and it does not diminish one’s responsibility to determine that the other person has given Consent.

- C. Sexual Harassment:** Sexual harassment is unwanted conduct of a sexual nature that has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment. It may be verbal, non-verbal, physical, written, or digital, and can occur through a single incident or repeated behaviour.
- D. Stalking:** *Stalking is a pattern of unwanted, repeated, or obsessive behaviour that causes a person to feel fear, alarm, or distress. It may include following, monitoring, contacting, tracking, or interfering with a person’s day-to-day life, whether in person or through digital means.*
- E. Domestic Abuse:** Domestic abuse is any incident or pattern of controlling, coercive, threatening, violent, or abusive behaviour between individuals aged 16 or over who are personally connected. It may include

physical, sexual, emotional, psychological, or economic abuse, as well as coercive or controlling behaviour.

- a. **Coercive and Controlling Behaviour (CCB):** Coercive and controlling behaviour is a pattern of acts designed to isolate, dominate, intimidate, or regulate another person's everyday life. It includes behaviour that makes a person dependent, subordinate, or fearful, restricts their freedom, or removes their ability to make independent choices. Coercive and controlling behaviour may involve threats, humiliation, monitoring, manipulation, or exploitation, and can occur in intimate or family relationships, friendships, or between individuals who are personally connected.

- i. Examples of CCB:

1. Monitoring someone's phone, messages, social media, or location.
2. Isolating a person from friends, family, or support networks.
3. Controlling access to money, transport, medication, or essential resources.
4. Threatening self harm or harm to others to influence someone's behaviour.
5. Repeatedly humiliating, belittling, or degrading someone.
6. Dictating what someone wears, where they go, or who they speak to.
7. Using intimidation, guilt, or manipulation to control decisions or behaviour.

- F. **Sexual Exploitation:** Sexual exploitation is any actual or attempted abuse of a position of vulnerability, power, or trust for sexual purposes. It includes exchanging or attempting to exchange money, goods, services, or privileges for sexual access, as well as any behaviour that takes advantage of another person for sexual gain.
- G. **Victimisation:** Victimisation occurs when a person is treated unfavourably because they have made a complaint, raised a concern, supported another person's complaint, or are suspected of doing so. Victimisation is prohibited regardless of the outcome of the original complaint.
- H. **Intent vs. Impact:** In assessing whether behaviour breaches this Policy, the College will consider the impact of the behaviour on the person who experienced it, regardless of the intent of the person who engaged in the behaviour. Conduct may violate this Policy even if the individual did not intend to cause harm, offence, or distress. The College will consider the full context and circumstances when evaluating impact.

VIII. Privacy and Confidentiality:

The College is committed to treating all information shared under this Policy with sensitivity and respect. Information will be handled in line with UK GDPR, the Data Protection Act 2018, and the College's safeguarding and duty-of-care obligations.

The College will only share information on a need-to-know basis, meaning it will be disclosed only to those staff members who require it in order to respond to a concern, provide support, manage risk, or carry out the College's legal responsibilities. The College will not share information widely or unnecessarily.

Absolute confidentiality cannot be guaranteed. In certain circumstances, the College may need to share information without the individual's consent, including where there is a risk of harm to the individual or others, a safeguarding concern, or a legal obligation to disclose information. Whenever possible, the College will explain what information needs to be shared, with whom, and why.

Information shared during a disclosure, Informal Process, or Formal Process will be stored securely and retained only for as long as necessary to fulfil the College's legal and regulatory obligations.

- A. **Privacy:** Privacy means that information shared with the College under this Policy will be handled sensitively and respectfully, and will only be accessed, used, or shared for legitimate purposes connected to safety, support, risk management, or the College's legal and regulatory obligations. The College will take reasonable steps to protect the privacy of all individuals involved and will limit the sharing of information to those who need it in order to respond appropriately.
- B. **Confidentiality:** Confidentiality means that information shared under this Policy will not be disclosed to others unless it is necessary to do so. The College will keep information as confidential as possible and will only share it with staff or external agencies who need the information in order to provide support, manage risk, or fulfil legal or safeguarding obligations. Confidentiality cannot be guaranteed in situations where there is a risk of harm to the individual or others, or where the College is legally required to share information.
- C. **Release of Information by the College:** The College may be required to share information with external agencies where necessary to protect someone's safety, fulfil safeguarding duties, comply with UK law, or cooperate with a lawful request from the police or statutory authorities. As a UK campus of a US institution, the College also provides non-identifiable, aggregated data for Clery Act reporting. No personal information will be disclosed for Clery purposes. All information sharing will comply with UK GDPR, the Data Protection Act 2018, and the College's safeguarding obligations. The College will not release personal information to third parties unless there is a lawful basis to do so.

IX. Reporting Responsibilities of University Employees

It is important to understand the different responsibilities of College staff. Some staff members act as Confidential Resources, meaning they can offer support without automatically sharing personal information, except where there is a risk of harm or a legal safeguarding obligation.

All other staff are considered Staff with a Duty to Report, meaning they are required to promptly share any concerns or disclosures relating to Prohibited Conduct with the College's Designated Safeguarding Lead or other appropriate safeguarding officer. These staff cannot promise confidentiality and must follow the College's reporting procedures.

- A. **Confidential Resources** provide a space where students and staff can seek support, ask questions, and explore their options without automatically triggering a formal safeguarding or misconduct response. Their role is to offer privacy, emotional support, and guidance while clearly explaining the limits of confidentiality under UK law.

Confidential Resources help individuals understand what has happened, what support is available, and what next steps—if any—they may wish to take.

Confidential Resources may provide:

- A private, supportive environment to talk about concerns or experiences.
- Information about support options, including wellbeing, academic adjustments, and external services.
- Guidance on reporting pathways, including informal and formal processes.
- Help with safety planning, where appropriate.
- Assistance accessing medical care, counselling, or specialist services.

- Emotional support without pressure to report or take action.

They are often the first point of contact for individuals who are unsure what they want to do or who need time to process their experience.

Confidential Resources aim to keep information private, but cannot guarantee absolute confidentiality. Under UK safeguarding law, they must share information when:

- there is a risk of harm to the individual or others
- a child or vulnerable adult may be at risk
- there is a legal obligation to disclose information (e.g., police request, Prevent duty)
- the situation involves serious safety concerns

Confidential Resources at the College are:

Amelia Fox
Counsellor
counselling@harlaxton.ac.uk

Lesley Selby
Nurse
lselby@harlaxton.ac.uk

Mindhamock

Harlaxton has partnered with Mindhamock, a 24/7 online resource for students for counselling and emotional support. Any information you share with Mindhamok is treated as confidential, subject to exceptions such as serious risk of harm. In some circumstances, limited information may be shared with Harlaxton or third parties if necessary to protect you or others, in accordance with applicable safeguarding duties.

Students will be provided log in information; but can also request an appointment by emailing hello@mindhamok.com

Students may also defer to the Confidential Resources on their home campuses for additional support.

- B. **Staff with a Duty to Report** are staff who must promptly share any concerns or disclosures relating to Prohibited Conduct or safeguarding with the Deputy SRO or Designated Safeguarding Lead. They cannot promise confidentiality and must follow the College's reporting procedures.

Most College staff are designated as Staff with a Duty to Report. These staff members play a critical role in safeguarding the wellbeing of students and colleagues. When they become aware of information that may indicate Prohibited Conduct, a safeguarding concern, or a risk of harm, they are required to share that information promptly with the appropriate safeguarding lead.

Staff with a Duty to Report cannot promise confidentiality. Their responsibility is to ensure that concerns are passed to trained safeguarding professionals who can assess risk, coordinate support, and take appropriate action.

Staff with a Duty to Report must share information as soon as reasonably possible, and ordinarily on the same day the concern is received. Reports must be made to:

- the Deputy Senior Responsible Officer (Deputy SRO), or
- the Designated Safeguarding Lead (DSL)

If neither is available, staff must follow the College's safeguarding escalation procedures to ensure the information reaches an authorised safeguarding officer without delay.

Timely reporting is essential to:

- protect individuals who may be at risk
- ensure the College meets its legal safeguarding obligations
- enable early intervention and support
- prevent escalation of harm

Staff with a Duty to Report must escalate:

- disclosures or allegations of Prohibited Conduct
- concerns about sexual misconduct, harassment, discrimination, or abuse
- safeguarding concerns involving children, young people, or vulnerable adults
- behaviours that may indicate risk of harm to self or others
- patterns of concerning behaviour, even if individually low-level
- third-party or anonymous concerns, where identifiable risk is present

Staff should report facts as they were shared or observed, without investigating, questioning, or attempting to verify the information.

X. Campus and Community Resources

A person who has experienced or witnessed Prohibited Conduct has several options for seeking support. These may include accessing counselling or wellbeing services, speaking with a Confidential Resource, making a report under this Policy, and/or making a report to the police. The College encourages individuals to seek support promptly and to choose the pathway that feels safest and most appropriate for them.

The College recognises that deciding whether, when, and how to report an incident can be difficult and is a deeply personal decision. Individuals are encouraged to speak with a Confidential Resource to receive private support, understand their options, and explore the range of reporting and support pathways available to them, both within the College and through external agencies.

A. Emergency Resources and Law Enforcement

Emergency medical assistance and campus Security assistance are available 24/7 both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

Harlaxton Safety and Security:

Local Police: Lincolnshire Police at 101 or 999.

B. Medical Treatment

Grantham Hospital

<https://www.nhs.uk/Services/hospitals/Services/Service/DefaultView.aspx?id=345138>

Hours: Daily from 8:00am - 6:30pm

Manthorpe Rd, Grantham

NG31 8DG

01476 565232

Peterborough City Hospital

<https://www.nwangliaft.nhs.uk/a-z-of-services/e/emergency-and-out-of-hours-care/>

Hours: 24/7

Edith Cavell Campus

Bretton Gate, Peterborough

PE3 9GZ

01733 678000

C. Sexual Assault Referral Centre

Community members can access specialist medical care and forensic examinations at the Topaz Centre SARC in Nottingham. SARCs provide confidential support, crisis care, and forensic exams with or without police involvement. The College can assist with transport and accessing SARC services.

Topaz Centre SARC

<https://www.topazcentre.org>

Oxclose Lane, Nottingham

NG5 6FZ

0330 223 0099 (24-hour hotline)

D. Campus Resources

Members of the College community may obtain information about resources relating to Prohibited Conduct from:

- Dr. Rachel Carpenter, Dean and Executive Director, rcarpetner@harlaxton.ac.uk
- Lydia Coupe, HR Officer, lcoupe@harlaxton.ac.uk
- Ria Bourne, SEO Manager, rbourne@harlaxton.ac.uk
- Annie Sills, Director of Institutional Equity and Title IX Coordinator, asills@harlaxton.ac.uk

E. Community Resources

In addition to the on-campus confidential medical and counseling resources outlined in the Confidential Resources section of this Policy, assistance and information relating to incidents involving sexual assault, intimate partner violence and stalking may also be obtained from these organizations not affiliated with the College. Be sure to ask each organization about its policy concerning confidentiality.

Lincolnshire Rape Crisis: Rape/Sexual Abuse Counseling and Support Services

18 Melville St

Lincoln LN5 7HW

0800 33 4 55 00

<http://www.lincolnshirerapecrisis.org.uk/>

XI. Reporting Options

The College encourages individuals to report Prohibited Conduct or concerns under this Policy to the Designated Safeguarding Lead (DSL), the Deputy Senior Responsible Officer (Deputy SRO), and/or to the police. A Reporting Party has the right to report, or to choose not to report, potential criminal conduct to law enforcement. If requested, the College will support a Complainant in contacting the police at any time.

In limited circumstances—such as where there is an immediate risk to the health or safety of any individual, or where the College is required to act under safeguarding or other applicable law—the College may make a report to the police or other statutory agencies without the individual's consent. Wherever possible, the College will inform the individual before doing so.

An individual may choose to make a report to the College, to the police, to neither, or to both. College safeguarding and misconduct processes operate independently of police investigations, although the DSL or Deputy SRO may share or coordinate relevant information with law enforcement as part of the College's safeguarding responsibilities and Risk Assessment. Anyone can make a report as follows:

A. Make a report to the Senior Reporting Officer or designee in person, by telephone, or email at:

Ms. Annie Sills
Director Institutional Equity and Title IX Coordinator
+1 812-488-5261
asills@harlaxton.ac.uk
cs175@evansville.edu
titleix@evansville.edu

Lydia Coupe
HR Officer
01476 403042
lcoupe@harlaxton.ac.uk

B. Make a Report to Local Law Enforcement

A Reporting Party has the right to report, or to choose not to report, an incident to the police at any time. The College's safeguarding, misconduct, and disciplinary processes are separate from the criminal justice process, and each may proceed independently. If a Reporting Party wishes to contact the police, the College will provide support in doing so, or the Complainant may contact the police directly.

- **Lincolnshire Police at 101 or 999.**

C. Make an anonymous Report

A Reporting Party is not required to reveal their identity in order to report an incident. Anonymous reports may limit the College's ability to conduct a full investigation, but they will always be reviewed and used to assess risk, identify patterns of concern, and take appropriate safeguarding action. An incident may be anonymously reported to the University:

A Complainant or witness also has the ability to make an anonymous report to local law enforcement by contacting:

Crimestoppers
0800 555111

<https://crimestoppers-uk.org/>

D. Timeframe for Reporting

The College encourages individuals to report Prohibited Conduct or safeguarding concerns as soon as reasonably possible, as timely reporting can enhance the College's ability to respond effectively and provide support. However, there is no time limit for reporting. The College will accept and consider reports made at any time, including historic or delayed disclosures.

The College's ability to investigate or take disciplinary action may be affected by the passage of time, the availability of evidence, or whether the Reported Party remains a member of the College community. Where the Respondent is no longer a student or employee, the College may not have the authority to impose disciplinary sanctions. Even in such cases, the College will:

- review the information provided
- assess any ongoing or potential safeguarding risks
- offer support and guidance to the Complainant
- assist the Complainant in identifying external reporting options (such as the police or relevant support services)
- take proportionate steps to address any identified risks or concerns

The College's safeguarding responsibilities apply regardless of when the incident occurred, and all reports will be handled sensitively and in line with UK safeguarding and data-protection requirements.

E. Amnesty Considerations

The College encourages reporting and seeks to remove barriers to reporting by providing amnesty to Reporting Parties and witnesses who report Prohibit Conduct for potential conduct violations occurring at or near the time of the incident. The College will not normally take disciplinary action for minor breaches of conduct (such as alcohol use or rule violations) that come to light as a result of a report of sexual misconduct, harassment, or other safeguarding concerns. This amnesty does not apply to actions that created a serious risk to the safety of others or involved criminal behaviour.

F. Request for Anonymity

When a report is made to the College, a Reporting Party may request that their identity not be shared with the Respondent, that no formal investigation take place, or that no disciplinary action be pursued. The College will take such requests seriously and will seek to respect the Reporting Party's wishes wherever possible.

The College must, however, balance the Reporting Party's preferences with its responsibility to provide a safe environment for all members of the community and to meet its safeguarding obligations. The ability to pursue disciplinary action is limited if the Respondent cannot be informed of the nature of the allegations or given an opportunity to respond, as required by principles of fairness and natural justice.

Where appropriate, the Designated Safeguarding Lead (DSL) or Deputy Senior Responsible Officer (Deputy SRO) may undertake limited preliminary enquiries to better understand the context of the report, assess any immediate risks, or determine whether further action is required to protect the safety of the Complainant or others. This may include consulting relevant senior staff or safeguarding professionals. If the College determines that it must proceed despite a request for anonymity—such as where there is a significant safeguarding concern or risk to others—the Complainant will be informed of this decision and supported throughout the process.

Further detail on how the College balances Reporting Party autonomy with its responsibilities can be found in the section Balancing Complainant Autonomy with College Responsibility to Act.

G. Coordination with Law Enforcement

A Reporting Party has the right to report, or to choose not to report, potential criminal conduct to the police at any time. If a Reporting Party wishes to contact the police, the College will provide support in doing so, or the Complainant may contact the police directly.

In limited circumstances—such as where there is an immediate risk to the health or safety of any individual, or where required under safeguarding or other applicable law—the College may notify the police or other statutory agencies without the Reporting Party’s consent. Wherever possible, the College will inform the Reporting Party before doing so.

An individual may choose to make a report to the College, to the police, to neither, or to both. College safeguarding and misconduct processes may run alongside a police investigation, but they operate independently of one another. Where appropriate, and in line with UK GDPR and the Data Protection Act 2018, the College may share or coordinate relevant information with the police to support safeguarding responsibilities or to avoid compromising a criminal investigation.

XII. Supportive Measures

Upon receiving a report of Prohibited Conduct or a safeguarding concern, the College will offer reasonable and appropriate Supportive Measures to any party involved. Supportive Measures are non-disciplinary, non-punitive actions designed to promote safety, wellbeing, and continued access to education or employment. They may be provided at any stage, including where no formal complaint or investigation is pursued.

Supportive Measures are tailored to the circumstances of each case and are intended to:

- protect the safety and wellbeing of the individuals involved and the wider College community
- reduce or manage identified risks
- support continued access to academic, residential, or workplace arrangements
- maintain the integrity of any safeguarding, misconduct, or disciplinary process
- help prevent retaliation or further harm

Supportive Measures may include, but are not limited to:

- wellbeing or counselling support
- adjustments to academic deadlines, timetables, or assessment arrangements
- modifications to work or class schedules
- changes to accommodation or work locations
- mutual no-contact directions
- campus escort arrangements or enhanced security measures
- temporary adjustments to supervision or reporting lines
- leave of absence or reduced study load
- other proportionate steps to support safety and access

Supportive Measures are offered based on need and risk, are not dependent on the initiation of a formal process, and will be reviewed and adjusted as circumstances change.

The Senior Responsible Officer (SRO) and Deputy Senior Responsible Officer (Deputy SRO) are responsible for ensuring that appropriate Supportive Measures are offered and implemented following any report of Prohibited Conduct or safeguarding concern. They have the authority to determine which measures are

necessary and proportionate in light of the information available, the needs of the individuals involved, and any identified safeguarding risks.

The SRO and Deputy SRO may:

- initiate Supportive Measures for any party at any stage, including where no formal complaint is made
- determine the scope, duration, and nature of Supportive Measures
- modify, extend, or withdraw Supportive Measures as circumstances change
- consult with the Designated Safeguarding Lead (DSL), academic or residential staff, or other relevant personnel to ensure measures are effective and appropriate
- implement interim steps to protect the safety and wellbeing of individuals and the wider College community

Supportive Measures will be reviewed regularly and may be adjusted at the discretion of the SRO or Deputy SRO to respond to evolving needs, risk assessments, or new information.

The SRO and Deputy SRO will ensure that Supportive Measures are implemented in a manner that is fair, proportionate, and consistent with the College's safeguarding responsibilities, UK GDPR and data-protection requirements, and the principles of natural justice.

A. Protective Measures

Where the College identifies an immediate safeguarding concern or a significant risk to the safety or wellbeing of any member of the community, the Senior Responsible Officer (SRO) or Deputy SRO may implement temporary protective measures. These measures are non-disciplinary and are imposed solely to manage risk while enquiries or investigations are ongoing.

Protective measures may include, but are not limited to:

- temporary restrictions on access to campus or specific facilities
- temporary removal from campus
- changes to accommodation or work locations
- adjustments to academic, residential, or workplace arrangements
- mutual or one-way no-contact directions
- administrative leave or temporary reassignment for staff
- other proportionate steps necessary to protect individuals or the wider community

All protective measures will be proportionate, based on an initial risk assessment, and reviewed regularly. The individual subject to the measures will be informed of the reasons for the decision and given an opportunity to respond or request a review. These measures do not constitute disciplinary action and do not imply any finding of wrongdoing.

XII. Overview of the College's Resolution Processes

The College is committed to providing a prompt, fair, and impartial response to all reports of Prohibited Conduct. To support this commitment, the College offers both informal and formal pathways for resolving concerns, depending on the nature of the report, the wishes of the parties, and any safeguarding considerations.

- **Informal Resolution:** A voluntary, non-disciplinary process that may include facilitated discussions, restorative approaches, or other supportive interventions aimed at resolving concerns without a formal investigation. Informal Resolution is only used where it is appropriate, proportionate, and safe to do so, and requires the informed and voluntary consent of all parties.

- **Formal Resolution:** A structured process that may involve fact-finding enquiries or a formal Investigation, followed by a determination under the College's disciplinary or safeguarding procedures. Where a breach of policy is established, appropriate outcomes or sanctions may be imposed.

In all resolution processes, the College will treat Complainants and Respondents fairly and equitably. Supportive Measures will be offered to a Complainant as soon as the College becomes aware of potential Prohibited Conduct, regardless of whether a formal or informal process is initiated. Supportive Measures may also be provided to a Respondent where appropriate.

No disciplinary sanction will be imposed on a Respondent unless the College has followed the relevant formal procedures and provided the Respondent with an opportunity to respond to the allegations in accordance with principles of natural justice.

A. Time frame of Resolution

The College aims to complete investigations as promptly as reasonably possible, recognising that the time required will depend on the nature and complexity of the case. There is no statutory timeframe for investigations under UK law; however, the College will take reasonable steps to avoid unnecessary delay, keep parties informed of progress, and provide regular updates. Safeguarding concerns will be acted upon immediately through risk assessment and protective measures, even where the full investigation may take longer to complete.

B. Support and Advisor

All parties may be accompanied by an advisor of their choice at any meeting held under this procedure. Advisors may provide support and guidance but may not answer questions on behalf of the individual or otherwise participate directly in the meeting. Advisors may include a friend, family member, staff member, Students' Union representative, or legal representative. The College may refuse an advisor whose presence would compromise the integrity of the process.

C. Truthfulness and Accuracy of Information

All individuals involved in any safeguarding, misconduct, or disciplinary process are expected to act with honesty and integrity. The College relies on accurate and truthful information to ensure that concerns are addressed fairly, proportionately, and in accordance with UK safeguarding duties and principles of natural justice.

Accordingly:

- Individuals participating in any stage of a report, enquiry, investigation, or resolution process are required to provide information that is accurate to the best of their knowledge.
- Parties, witnesses, and staff must not knowingly provide false, misleading, or incomplete information.
- Individuals are expected to correct any information they later discover to be inaccurate or incomplete.
- The College may take appropriate action under relevant policies if a person is found to have intentionally provided false information or acted in bad faith during a safeguarding or misconduct process.
- Honest mistakes, differences in recollection, or good-faith misunderstandings will not be treated as misconduct.

This requirement supports the fairness and integrity of the College's processes and helps ensure that all parties are treated justly and that safeguarding responsibilities are met.

XIII. Intake and Initial Assessment

A. Response to a Report of Prohibited Conduct

Any person may report Prohibited Conduct to the Senior Responsible Officer (SRO), the Deputy SRO, the Designated Safeguarding Lead (DSL), or any of the reporting options identified in this Policy. Reports may be made in person, in writing, by telephone, electronically, or anonymously.

Upon receiving a report of Prohibited Conduct, the SRO or Deputy SRO will ensure that the College responds promptly, safely, and in accordance with its safeguarding and misconduct responsibilities. The SRO or Deputy SRO will contact the Reporting Party to acknowledge the report, offer Supportive Measures, and explain the available resolution pathways, including Informal Resolution and Formal Resolution.

A Reporting Party may request Supportive Measures only, may express interest in Informal Resolution, or may pursue Formal Resolution. Supportive Measures are available regardless of whether a formal or informal process is initiated.

The SRO or Deputy SRO will also determine whether the reported conduct falls within the scope of this Policy and whether any safeguarding or statutory obligations are triggered.

B. Initial Assessment

Upon receiving a report of Prohibited Conduct or a safeguarding concern, the College will undertake an Initial Assessment. This includes a preliminary review of the information available, a triage of immediate needs, and a risk assessment to identify any urgent safeguarding or wellbeing concerns. The purpose of the Initial Assessment is to determine the most appropriate next steps, which may include Supportive Measures, Informal Resolution, Formal Resolution, or referral to statutory agencies where required.

The SRO or Deputy SRO will undertake an Initial Assessment to understand the nature of the concern, identify any immediate risks, and determine the most appropriate next steps. The Initial Assessment is not a determination of responsibility.

As part of the Initial Assessment, the SRO or Deputy SRO will:

- Promptly contact the Reporting Party to offer Supportive Measures and explain available options.
- Consider the Reporting Party's wishes regarding Supportive Measures and preferred pathways for resolution.
- Review the information available, including whether the report identifies the Reporting Party, the Respondent, or any witnesses.
- Assess immediate safety and wellbeing needs, including any safeguarding concerns.
- Conduct a risk assessment to determine whether temporary protective measures are required to manage risk to individuals or the wider community.
- Explain reporting options, including the right to contact (or decline to contact) the police.
- Provide information about medical care, specialist support services, and the importance of preserving evidence where relevant.
- Provide written information about on- and off-campus support resources.
- Explain the College's procedural options, including Supportive Measures, Informal Resolution, and Formal Resolution.
- Explain the right to be accompanied by a supporter or representative at meetings, in line with College procedures.

- Consider any patterns of behaviour or previous concerns involving the Reported Party, where relevant and lawful.
- Discuss confidentiality, including any limitations where safeguarding or legal obligations apply.
- Explain the College's prohibition on retaliation and how to report concerns about retaliatory behaviour.
- Identify whether the Complainant is a child or vulnerable adult, and if so, ensure appropriate safeguarding referrals are made in accordance with UK law.

Where the report involves a potential crime, the SRO or Deputy SRO will discuss police reporting options with the Reporting Party and consider whether the College has a duty to notify statutory agencies due to safeguarding or risk-of-harm concerns.

C. Timeframe for Initial Assessment

The Initial Assessment will be conducted promptly and proportionately. While the time required will depend on the circumstances, the College will seek to complete the Initial Assessment within a reasonable period, recognising that:

- availability of the Reporting Party or other individuals
- requests for privacy
- safeguarding considerations
- complexity of the information
- or other factors outside the College's control

may affect the timeline.

The College recognises that a Reporting Party may need time to consider their options, and the Initial Assessment will proceed at a pace that supports safety, wellbeing, and informed decision-making.

D. Formal Complaint

A Formal Complaint is a written request from a Reporting Party asking the College to initiate the Formal Resolution process under this Policy. A Formal Complaint should identify the Respondent (if known), describe the alleged conduct, and indicate that the Reporting Party wishes the matter to be formally investigated. Once a Formal Complaint is submitted and signed, the individual who filed it will be designated as the Complainant for the purposes of this Policy, rather than a Reporting Party.

A Formal Complaint may be submitted to the Senior Responsible Officer (SRO), the Deputy SRO, or another designated reporting route identified in this Policy. The SRO or Deputy SRO may assist a Complainant in preparing or submitting a Formal Complaint if requested.

A Complainant may file a Formal Complaint at any time following a report of Prohibited Conduct, provided the Complainant is participating in, or attempting to participate in, the College's programmes or activities. Supportive Measures remain available regardless of whether a Formal Complaint is filed

Upon receipt of a Formal Complaint, the SRO or Deputy SRO will:

- confirm receipt of the complaint
- ensure the Complainant understands the Formal Resolution process
- review the complaint to confirm it falls within the scope of this Policy
- conduct or update the Initial Assessment and risk evaluation
- determine whether the matter should proceed to Formal Resolution, Informal Resolution (if appropriate), or safeguarding action
- notify the Respondent of the Formal Complaint in accordance with natural justice
- ensure Supportive Measures are in place for all parties as needed

The SRO or Deputy SRO is responsible for ensuring that the Formal Resolution process is fair, impartial, and conducted in accordance with UK safeguarding duties and principles of natural justice.

1. Discontinuance of Formal Complaint

The SRO or Deputy SRO may decline to proceed with, or discontinue a Formal Complaint at any time during a process where:

- a. The conduct, even if proven, would not fall under the scope of this policy
- b. The Complainant withdraws the Formal Complaint and there are no overriding safeguarding or public-interest concerns requiring the College to proceed.
- c. The Respondent is no longer a member of the College community and no safeguarding or risk-of-harm issues remain
- d. There is insufficient information to proceed after reasonable steps to clarify the concern.
- e. The matter is more appropriately handled through another process.
- f. A safeguarding or statutory agency advises that the College should pause or discontinue its process.
- g. The complaint is frivolous, vexatious, or malicious and there is clear evidence of a bad faith report.
- h.

The SRO or Deputy SRO must not discontinue a Formal Complaint under the following circumstances:

- a. There is a credible safeguarding risk
- b. The behaviour may pose a risk of harm to others
- c. The College has a legal or statutory duty to act
- d. The Complainant is a child or vulnerable adult
- e. The conduct may constitute a serious breach of Policy

Should the SRO or Deputy SRO decide not to proceed with a Formal Complaint they will inform the Complainant in writing of the decision, explain the reasons for the decision, outline the available Supportive Measures, explain alternative pathways to resolve the complaint, and document the decision in accordance with the UK GDPR. Where it is appropriate the Respondent will also be notified.

A Complainant may request a review (appeal) of a decision by the SRO or Deputy SRO to decline to proceed with, or to discontinue, a Formal Complaint. The purpose of the appeal is to ensure that decisions are reasonable, proportionate, and made in accordance with this Policy and the principles of natural justice.

An appeal may be submitted on one or more of the following grounds:

- Procedural Irregularity: There was a material procedural error that affected the decision.
- New Information: Significant new information has become available that was not reasonably accessible at the time of the decision and may affect the outcome.
- Unreasonable or Disproportionate Decision: The decision not to proceed was one that no reasonable decision-maker could have reached based on the information available.

Appeals must be submitted in writing within the timeframe specified by the College. Appeals will be reviewed by an impartial senior staff member who was not involved in the original decision. The reviewer may:

- uphold the original decision
- overturn the decision and direct that the Formal Complaint proceed
- request further information or clarification before reaching a decision

The outcome of the appeal will be communicated in writing to the Complainant, and to the Respondent where appropriate. The right to appeal applies only to the decision to decline or discontinue a Formal Complaint, not to the merits of the underlying allegations.

E. Balancing Complainant Autonomy with the College's Responsibility to Act

The College seeks to respect the wishes of a Complainant, including where they request that their identity not be shared with the Respondent, that no investigation take place, or that no disciplinary action be pursued. At the same time, the College has a duty of care to all members of its community and must meet its safeguarding, equality, and regulatory obligations.

Accordingly, the Senior Responsible Officer (SRO) or Deputy SRO will carefully balance the Complainant's preferences with the College's responsibility to maintain a safe, non-discriminatory learning, living, and working environment.

In doing so, the SRO or Deputy SRO will consider:

- the Complainant's expressed wishes and concerns
- the safety and wellbeing of the Complainant and others
- the College's safeguarding duties, including any risk of harm
- fairness to all individuals involved
- the College's obligations under UK law, including the Equality Act 2010 and relevant safeguarding legislation

Before taking further steps, the SRO or Deputy SRO will discuss any concerns with the Complainant and seek to understand and address barriers to participation, including fears about retaliation, confidentiality, or uncertainty about procedural options.

In determining whether the College must proceed with Formal Resolution or other action despite a Complainant's request not to do so, the SRO or Deputy SRO will consider a range of factors, including:

- the totality of the known circumstances
- the nature, seriousness, and context of the reported conduct
- whether the alleged behaviour involves violence, threats, coercion, or exploitation
- the respective ages, roles, and positions of the Complainant and Respondent
- any indication that the Respondent may pose an ongoing risk to the Complainant or others
- any known history of similar concerns or patterns of behaviour
- whether the report suggests a pattern of misconduct in a particular setting or group
- the Complainant's stated interest in the College not pursuing further action, and the potential impact on the Complainant
- whether the College has access to other sources of relevant evidence
- fairness considerations for both the Complainant and the Respondent
- the College's duty to provide a safe and non-discriminatory environment
- any other relevant information available at the time

These factors help the College determine whether it can safely respect the Complainant's wishes or whether safeguarding or regulatory duties require further action. In compliance with UK law, and the Harlaxton Manor Safeguarding Policy, any issues with safeguarding may also be reported by the Designated Safeguarding Lead to the LADO.

Where possible, the College will take reasonable steps to respond to a report in a manner consistent with the Complainant's preferences. However, there may be circumstances in which the balance of factors requires the College to proceed with an investigation or other action, even without the Complainant's participation.

If the SRO or Deputy SRO determines that the College must initiate Formal Resolution or other safeguarding action despite the Complainant's wishes, the Complainant will be informed of this decision in writing, along with the reasons for the chosen course of action and the Supportive Measures available to them.

F. Consolidation of Complaints

The Senior Responsible Officer (SRO) or Deputy SRO may determine that two or more complaints should be considered together where doing so is fair, proportionate, and consistent with the College's safeguarding and misconduct responsibilities. Consolidation may be appropriate where:

- multiple Complainants report related or similar conduct by the same Respondent
- a single Complainant reports multiple incidents involving the same Respondent
- the reported conduct involves more than one Respondent acting together or in a coordinated manner
- the reports indicate a pattern of behaviour or a series of connected events

Before deciding to consolidate complaints, the SRO or Deputy SRO will consider:

- the views and welfare of the Complainants
- fairness to each Respondent, including their ability to understand and respond to the specific allegations against them
- whether consolidation would support a more accurate assessment of risk or safeguarding concerns
- whether separate or combined processes would be more appropriate in the circumstances

Where complaints are consolidated, the College will ensure that:

- each party is informed of the decision and the reasons for it
- allegations are clearly identified for each Respondent
- evidence is managed in a way that preserves fairness and clarity
- Supportive Measures are reviewed and adjusted as needed

The College may decide to separate consolidated complaints at any stage if doing so becomes necessary to ensure fairness, manage risk, or comply with safeguarding obligations.

XIV. Informal Resolution

A. Purpose of Informal Resolution

Informal Resolution is a voluntary, non-disciplinary process that may be used to resolve certain reports of Prohibited Conduct where it is appropriate, proportionate, and safe to do so. The purpose of Informal Resolution is to support the wellbeing of the individuals involved, address the impact of the behaviour, and prevent recurrence without the need for a formal investigation or disciplinary process.

Informal Resolution does not determine whether a policy breach has occurred and does not impose disciplinary sanctions.

Following an Initial Assessment and risk evaluation, the College may offer Informal Resolution where:

- the reported conduct is assessed as suitable for a non-disciplinary approach
- both parties express an interest in resolving the matter informally
- there is no significant safeguarding risk
- the process is proportionate to the nature of the concern
- the power dynamics between the parties do not undermine fairness or voluntariness

Informal Resolution is not normally appropriate for cases involving:

- serious sexual misconduct
- violence or threats of violence
- stalking or coercive control
- hate-motivated harassment
- significant safeguarding concerns
- minors or vulnerable adults
- substantial power imbalances

In such cases, Formal Resolution or safeguarding action will be required.

Informal Resolution requires the informed, voluntary, and written consent of the Reporting Party, the Reported Party, and the College

Either party may withdraw from Informal Resolution at any time prior to an agreement being finalised. If Informal Resolution is not successful or becomes inappropriate due to new information or increased risk, the matter may proceed to Formal Resolution. Both parties are also entitled to Supportive Measures. Informal Resolution may take many different forms, so long as the approach is trauma-informed. The Informal Resolution facilitator will be a trained staff member or external individual who will utilize a trauma-informed and impartial approach. The Facilitator will also be free from bias of conflict of interests for both parties.

Before Informal Resolution is offered, the College will conduct a risk assessment to ensure that:

- the process is safe for all parties
- no statutory thresholds are triggered (e.g., police, LADO, Prevent)
- appropriate Supportive Measures are in place
- the process will not expose any party to further harm

If at any stage the risk level increases, the College may pause or discontinue Informal Resolution and initiate Formal Resolution or safeguarding action.

Any Informal Resolution agreement will be documented and shared with the parties. Documentation will include:

- the voluntary consent of both parties
- the agreed actions or outcomes
- the right to end the process
- any Supportive Measures in place
- review arrangements

All records will be managed in accordance with UK GDPR and the Data Protection Act 2018.

Informal Resolution is considered complete when an agreement has been reached and documented and that the College is satisfied that the agreement is safe, proportionate, and workable. The College will monitor compliance with the agreement and may take further action if the agreement is breached or if new concerns arise.

XV. Formal Resolution Process: Investigation

Upon the submission of a Formal Complaint from the Complainant or the decision by the SRO or Deputy SRO to pursue the Formal Resolution Process, the College will conduct a prompt, fair, and proportionate investigation to establish the relevant facts and determine, on the balance of probabilities, whether a breach of this Policy has occurred. The investigation will be impartial and carried out by trained investigators who have no conflict of interest or actual bias in relation to the Complainant or the Respondent. If either party believes that an appointed Investigator may have a conflict of interest or bias, they may raise this concern with the SRO or Deputy SRO, who will determine whether a different Investigator should be appointed. The purpose of the investigation is to establish the relevant facts and determine, on the balance of probabilities, whether a breach

of this Policy has occurred. The investigation will be fair, proportionate, trauma informed, and conducted in accordance with the principles of natural justice and the College's safeguarding responsibilities.

Throughout the investigation process, both the Complainant and the Respondent will have equitable opportunities, including:

- receiving written notice of the allegations and the commencement of an investigation
- participating in the investigation and providing their account
- identifying witnesses and submitting relevant information or evidence
- being accompanied by a supporter or representative at any meeting, in accordance with College procedures
- receiving timely notice of meetings at which their presence is requested
- having timely and appropriate access to information that will be considered in determining the outcome
- receiving simultaneous written notification of the outcome, rationale, and any actions arising from the process
- accessing the appeal process, where applicable

These rights reflect the principles of natural justice and the expectations of UK regulators.

The investigator—not the parties—is responsible for gathering relevant evidence. This includes:

- interviewing the Complainant, Respondent, and any witnesses
- reviewing documents, communications, and other relevant materials
- ensuring that the investigation is conducted in a trauma-informed, sensitive, and impartial manner
- maintaining accurate records of all evidence and interviews

The Complainant and Respondent will be invited to identify witnesses and provide any relevant information, such as documents or communications. Parties are encouraged to provide information promptly and to preserve any evidence that may be relevant.

If a party chooses not to provide information or participate, the College will proceed based on the information available. The College's ability to conduct a thorough and fair investigation may be affected by the absence of relevant information

A. Notice of Investigation

Before the investigation begins, the SRO or Deputy SRO will provide the Respondent, will receive typically via their College e-mail address, a written notice that includes:

- a summary of the allegations
- the sections of this Policy that may have been breached
- an outline of the investigation process
- information about available Supportive Measures
- the right to be accompanied by a supporter or representative
- a presumption of non-responsibility
- information about confidentiality and data protection

The Complainant will also receive written confirmation that an investigation has commenced.

B. Admission of Responsibility

If the Respondent accepts responsibility for the alleged conduct upon receipt of the Notice of Investigation, the College may determine that a full investigation is not required. The SRO or Deputy SRO will confirm that the admission is voluntary, informed, and unambiguous. In such cases, the College will proceed directly to determining appropriate outcomes or actions, taking into account safeguarding considerations, the impact on the Complainant, and the need to maintain a safe and respectful environment.

The Complainant will be informed of the admission and will retain access to Supportive Measures and the right to appeal the outcome on the grounds set out in this Policy. The Respondent's admission does not prevent the College from conducting a limited inquiry where necessary to assess risk, understand context, or fulfil safeguarding obligations.

The decision-maker or panel will determine the appropriate outcome or sanction and will communicate the decision and rationale to both parties in writing.

C. Investigative Steps

The investigation will be conducted in a manner that is impartial, thorough, and proportionate to the seriousness and complexity of the allegations. It will be carried out using trauma-informed approaches and in a way that is fully consistent with the College's safeguarding responsibilities.

The Investigator will meet separately with the Complainant, the Respondent, and any relevant witnesses, gather and review relevant evidence including documents, communications, and digital materials, and maintain accurate records of all interviews and evidence. Throughout the process, the Investigator will liaise with safeguarding staff where risk issues arise and will ensure that both parties have a meaningful opportunity to be heard.

The Investigator—not the parties—is responsible for gathering relevant evidence.

1. Participation and Evidence

Both the Complainant and the Respondent will have equitable opportunities to provide their account of events, identify witnesses, submit relevant information or evidence, review and comment on a summary of their interview notes, and receive timely notice of any meetings at which their presence is requested.

Parties are encouraged to provide information promptly and to preserve any evidence that may be relevant. If a party chooses not to participate or declines to provide information, the investigation will proceed based on the information available.

2. Relevance of Evidence

The Investigator is responsible for determining what information is relevant to the investigation. Evidence will be considered relevant where it assists in establishing the facts of the case, is proportionate to the issues under consideration, and contributes to a fair and balanced assessment of the allegations.

The Investigator may decide not to gather or rely on information that is:

- manifestly irrelevant to the issues being investigated
- disproportionate in scope or intrusive relative to its evidential value
- speculative, prejudicial, or based on character assumptions rather than facts
- unrelated to the alleged conduct or the context in which it occurred

Parties may submit any information they believe to be relevant, but the Investigator will determine what evidence is necessary and appropriate to include in the investigation report.

The College will ensure that decisions about relevance are made in accordance with principles of natural justice, proportionality, and the College's safeguarding responsibilities.

3. Prior Sexual History of the Complainant

The prior sexual history of a Complainant will not be considered in an investigation or decision-making process, except in rare circumstances where the information is directly relevant to the specific allegation and necessary to ensure a fair and accurate assessment of the facts.

Prior sexual history will never be used to suggest that a Complainant is less credible, to imply consent, or to make character judgments. This reflects UK safeguarding principles and natural justice.

4. Prior Conduct of the Respondent

Information about a Respondent's prior conduct may be considered only where it is relevant, such as evidence of a pattern of similar behaviour, previous findings of misconduct, information necessary for safeguarding or risk assessment, or contextual information that directly relates to the allegations under review.

Such information will be handled carefully to ensure fairness and will be disclosed to the Respondent if it is to be relied upon in the decision-making process.

The Investigator will determine the relevance and appropriateness of any such information in accordance with the principles of natural justice, proportionality, and the College's safeguarding responsibilities.

D. Review of Evidence

Before the investigation is finalised, both the Complainant and the Respondent will be given a reasonable opportunity to review and comment on the evidence relevant to the allegations. This will normally include either a summary of the evidence gathered or relevant excerpts of interview notes, documents, or digital materials. Parties will typically be given a reasonable period of time, usually 5–10 working days, to review the evidence and provide any comments, clarifications, or additional information. This timeframe may be adjusted where the volume or complexity of the evidence requires more time, where a party requests an extension for good reason, or where safeguarding or risk-management considerations require a shorter period. The College will ensure that both parties have an equitable opportunity to review and respond to the evidence, consistent with principles of natural justice and proportionality.

E. Investigation Report

At the conclusion of the investigation, the Investigator will prepare a written report that will be made accessible to both the Complainant and the Respondent. This report will summarise the steps taken during the investigation, outline the evidence that has been gathered, present the facts in a balanced and neutral manner. The report will not make a finding of responsibility nor provide any credibility assessments.

Once the investigation report is finalised, the College will provide both parties with equitable access to:

- the investigation report, and
- the evidence or excerpts of evidence that the decision-maker will rely upon.

Information may be redacted where necessary to protect the privacy of third parties, comply with data protection obligations, or manage safeguarding risks. Both parties will receive the report at the same time and in the same format.

The investigation report will then be provided to the decision-maker or panel responsible for determining whether a breach of this Policy has occurred.

XVI. Formal Process: Decision Making

A. Decision Maker(s)

The Decision-Maker is an impartial individual or panel responsible for determining, on the balance of probabilities, whether a breach of this Policy has occurred. Decision-Makers are appointed by the Senior Responsible Officer (SRO) or Deputy SRO and may include trained members of staff or external specialists with appropriate expertise and independence. Anyone serving in this role must have had no prior involvement in the matter, no conflict of interest, and no personal or professional relationship with either party that could compromise, or appear to compromise, their impartiality. Decision-Makers must be appropriately trained in the College's policies, safeguarding responsibilities, trauma-informed practice, equality and non-discrimination principles, and the standards of natural justice. The role of the Decision-Maker is distinct from that of the Investigator; they do not gather new evidence but instead review the investigation report, consider any permitted written submissions from the parties, and reach a reasoned determination based on the available evidence.

B. Panel Meeting

Once the investigation report is finalised, the decision-maker or panel will review the report and the evidence relied upon to determine, on the balance of probabilities, whether a breach of this Policy has occurred. The panel will not hold a hearing, and the parties will not meet with or appear before the panel. Instead, the panel will base its decision solely on the investigation report, the supporting evidence, and any written comments submitted by the parties within the specified timeframe.

The panel may request clarification from the Investigator if needed to ensure a full understanding of the evidence, but will not gather new evidence or re-interview witnesses. The panel will reach its decision impartially and will consider all relevant information, including evidence that supports or challenges the allegations. The panel will then determine any appropriate outcomes or sanctions, taking into account the

nature and seriousness of the conduct, any mitigating or aggravating factors, and the College's safeguarding responsibilities.

The outcome and the rationale for the decision will be communicated in writing to both the Complainant and the Respondent. Both parties will also receive information about their right to appeal under this Policy.

XVII. Outcome

Following the decision-making process, the College will issue a written outcome letter to both the Complainant and the Respondent. The letter will set out the panel's or decision-maker's findings on the balance of probabilities, including a clear explanation of whether a breach of this Policy has been established and the rationale for that determination. The outcome letter will summarise the key evidence relied upon, the considerations that informed the decision, and any outcomes or sanctions imposed. Where appropriate, the letter will also outline any safeguarding or risk-management measures that will remain in place or be introduced as a result of the decision. Each party will receive information about their right to appeal, including the permitted grounds and the timeframe for submitting an appeal. The College may redact information where necessary to protect the privacy of third parties or to comply with data-protection or safeguarding obligations, but will ensure that both parties receive a clear and meaningful explanation of the decision.

XVIII. Appeals

Either party may request an appeal of the outcome of a Formal Resolution process. Appeals must be submitted in writing to the Senior Responsible Officer (SRO) or Deputy SRO within a reasonable timeframe, normally within 10 working days of receiving the outcome letter. An appeal may be considered only on the grounds set out in this Policy, and the SRO or Deputy SRO will review the request to determine whether the appeal meets the threshold for further consideration. The appeal process is not a rehearing of the case; rather, it is a focused review of whether the decision was reached in accordance with the principles of fairness, proportionality, and natural justice. Where an appeal is accepted, the SRO or Deputy SRO may conduct the review themselves or assign it to an impartial senior staff member with no prior involvement in the matter. The outcome of the appeal will be communicated in writing to both parties, and the decision reached at the conclusion of the appeal process will be final within the College's internal procedures.

A. Grounds for Appeal

An appeal may be submitted only on one or more of the following grounds:

1. **Procedural Irregularity:** There was a material procedural error or deviation from this Policy that affected the fairness of the outcome. This includes situations where relevant steps were not followed, where a conflict of interest was not appropriately managed, or where the process was otherwise inconsistent with principles of natural justice.
2. **New Evidence:** New, substantive evidence has become available that was not reasonably accessible at the time of the investigation or decision-making process, and which could have materially affected the outcome. The appeal must explain why this evidence was not available earlier and how it may change the decision.

3. Disproportionate Outcome: The outcome or sanction imposed was manifestly unreasonable or disproportionate in light of the findings, the nature of the conduct, and the College's safeguarding responsibilities.

Appeals that do not fall within these grounds, or that simply disagree with the findings or re-argue the case, will not be accepted for further consideration. The appeal process is not a rehearing of the matter but a focused review of whether the decision was fair, reasonable, and reached in accordance with this Policy.

XIV. Policy Review

This Policy will be reviewed regularly to ensure that it remains compliant with applicable UK legislation, statutory guidance, and sector best practice. The Senior Responsible Officer (SRO), or their delegate, will lead the review process and will ensure that updates reflect changes in safeguarding law, regulatory expectations, and operational learning from the College's practice. The Policy will normally be reviewed at least every two years, or sooner where required by changes in legislation, statutory guidance, regulatory requirements, or identified safeguarding risks. The review will consider feedback from staff, students, and relevant safeguarding partners, as well as any lessons learned from casework, audits, or external inspections. Any revisions to the Policy will be approved through the College's governance processes and communicated clearly to staff and students to ensure continued understanding and compliance.