

Harassment and Sexual Misconduct Policy

Applicable from September 2025 to Present

1. Purpose and Scope

1.1 This Policy outlines UCLan London's approach to preventing and responding to harassment, sexual misconduct, and related behaviours among students. It applies to all students from enrolment to completion of study, including taught, postgraduate, apprenticeship, distance learning, and professional programmes.

1.2 It covers conduct occurring on or off Campus premises, including placements, fieldwork, accommodation, social events, or online activity via digital platforms associated with UCLan London Campus life.

1.3 The Policy should be read alongside:

2. Policy Statement

2.1 UCLan London is committed to providing a positive, safe, inclusive, and respectful environment where all students can study, work and socialise free from harassment, discrimination, violence, or abuse.

2.2 Harassment, sexual misconduct and abuse of any kind are unacceptable. UCLan London will take action to prevent such behaviour, support those affected, and hold individuals accountable through appropriate procedures.

2.3 UCLan London will adopt a **trauma-informed and survivor-centred approach**, underpinned by the principles of **safety, trust, choice, collaboration, and empowerment**.

2.4 All members of the Campus community share responsibility for fostering a culture of dignity, respect, and consent in all interpersonal interactions.

2.5 Students should have confidence to report concerns without fear of victimisation or disadvantage, knowing their reports will be taken seriously and handled fairly.

3. Freedom of Speech

3.1 UCLan London is committed to upholding freedom of speech and academic freedom within the law.

3.2 Application of this Policy will always be consistent with the Campuses' **Code of Practice to Ensure Freedom of Speech**. Teaching, research, or discussion of challenging or controversial ideas does not in itself constitute harassment, provided it is lawful and conducted respectfully.

3.3 Where conflict arises between this Policy and the Code, the Code will prevail.

4. Definitions

Sexual misconduct is defined as any unwanted or attempted unwanted conduct of a sexual nature which occurs in person or by correspondence, telephone, text, email, or other electronic and/or social media.

The following is a list of examples of behaviour that may constitute sexual misconduct. This list is not exhaustive; however, it is indicative of behaviour that would be considered unacceptable by the London:

- engaging or attempting to engage in a sexual act without consent
- threatening or abusive behaviour of a sexual nature
- kissing or inappropriately touching another person without consent
- inappropriately showing sexual organs to another person
- recording and/or sharing intimate images of another person without their consent
- sending unsolicited messages or images of an explicit nature, often referred to as 'sexting'
- sharing or threatening to share intimate images of another person with the intent to cause distress, often referred to as 'revenge porn'
- taking a photograph under another person's clothing without their permission, often referred to as 'upskirting'
- putting drugs and/or alcohol into someone's drink or body without their knowledge, often referred to as 'spiking'
- 'stalking' including repeatedly following a person without good reason
- inappropriate comments, jokes, wolf-whistling, banter, or name-calling
- intimidation or promising benefits in return for sexual favours
- sexual harassment as defined by section 26 of the Equality Act 2010 i.e. conduct of sexual nature, including making unwanted remarks of a sexual nature, which has the purpose or effect of violating a person's dignity or which creates an intimidating, hostile, degrading, humiliating or offensive environment, where it is reasonable in the circumstances for the conduct to have that effect
- engaging in any event, business or other activity which may cause degradation and humiliation of a sexual nature e.g. social events or initiations

The common feature in all these behaviours is a lack of informed consent. Consent is the clear and unambiguous agreement to participate in a sexual act, where the person has both the freedom and the capacity to make that choice.

Consent cannot be assumed based on previous experience and may be withdrawn at any time. It can be considered in two stages:

- a. Whether the individual has the capacity, specifically the age and the understanding to choose whether to take part in the activity at the time. An individual is incapacitated when asleep, unconscious, semiconscious or in any other state of unawareness, or significantly reduced awareness, that the sexual act may be occurring, which may be the result of alcohol or drugs of fact to be proven on the evidence provided in each case.
- b. Whether the individual has the freedom to engage in a sexual act and was not constrained in any way. Consent cannot be assumed based on a lack of verbal or physical resistance, and is not present where there is coercion, force, threat, intimidation or where there is the exploitation of a power imbalance.

If the person has both the capacity and freedom to consent, the key question is whether they agreed to the activity by choice.

The following behaviours are also captured under this Policy:

- a. Coercion, which is any act or threat of physical or emotional harm which would reasonably place an individual in fear of immediate or future harm, with the result that the individual is compelled to engage in a sexual act.
- b. Complicity, which is any act that knowingly helps, promotes, or encourages any form of sexual misconduct by another individual.
- c. Retaliation, which includes any intimidating, threatening or coercive words or actions made in response to a report of sexual misconduct by anyone involved, including witnesses, friends, and relatives.

5. Roles and Responsibilities

5.1 **Students** must treat others with dignity and respect and are expected to challenge or report inappropriate behaviour when safe to do so.

5.2 **Wellbeing, Disability and Inclusion Officer (WDIO)** provide:

- Initial confidential support, advice, and guidance;
- Assistance with safety planning, risk assessment, and referrals;
- Liaison with academic departments to arrange adjustments or mitigation (e.g., extensions, alternative assessments);
- Referrals to counselling, healthcare, or specialist services.

5.3 **Designated Safeguarding Officer (DSO)** oversees safeguarding risk management, ensures compliance with the Safeguarding and Prevent Policy, and liaises with statutory agencies (police, local authority) when risk of harm is identified.

5.4 **Director of Studies (DoS) Office** provides academic oversight and support to mitigate study impact, ensuring continuity of learning where a student's wellbeing or safety affects attendance or performance.

5.5 **All Staff** must complete safeguarding and harassment awareness training and refer disclosures appropriately.

6. Support for Students

6.1 Students can seek support or make a disclosure through the **online reporting platform**. Disclosures can be made anonymously or with contact details to receive a response.

6.2 Where contact details are provided, the WDIO will contact the student to offer confidential support and discuss options.

6.3 Support may include:

- a. Emotional support, counselling or mental-health referral;
- b. Safety planning and precautionary measures;
- c. Academic adjustments via the DoS or School;
- d. Referral to external specialist services (e.g., Rape Crisis, Victim Support, NHS Sexual Assault Referral Centre);
- e. Support for students concerned about their own behaviour.

6.4 Where both the reporting and responding persons are students, separate WDIOs will be assigned to ensure impartiality.

7. Reporting and Response Procedures

7.1 Students may choose to:

- a. Seek information or support without making a formal report;
- b. Make a formal report for action;
- c. Report to the police or external agency (with support from the WDIO or DSO).

7.2 Formal reports will be handled in accordance with the **Procedure for Reporting and Responding to Incidents of Harassment and Sexual Misconduct**.

7.3 Where criminal behaviour is alleged; UCLan London will support the student to contact the police. Internal disciplinary processes may be paused until criminal proceedings conclude, though risk-management and safety measures will remain active.

7.4 Risk assessments will be undertaken by the WDIO and DSO to ensure safety on campus or within accommodation. Precautionary measures (such as timetable changes or no-contact agreements) may be applied proportionately.

7.5 Investigations will be conducted fairly, sensitively and in line with trauma-informed principles. Both parties will be kept informed of progress and outcomes.

7.6 Where misconduct is found, sanctions may include suspension, expulsion, or referral to professional regulators.

7.7 UCLan London does **not** use non-disclosure agreements or confidentiality clauses in cases involving harassment or sexual misconduct.

8. Education and Prevention

8.2 Training for staff will include safeguarding, responding to disclosures, and trauma-informed practice.

9. Monitoring, Evaluation and Review

9.1 UCLan London will monitor and evaluate data on disclosures, reports, and outcomes to ensure compliance with **OfS Condition E6**.

9.2 Findings will inform improvements to prevention, support, and reporting systems.

9.3 This Policy will be reviewed annually by the **Wellbeing, Disability, and Inclusion Service** in consultation with the **Safeguarding Committee**, students, and external partners.

10. Confidentiality and Data Protection

10.1 Information shared under this Policy will be treated confidentially and in accordance with the Data Protection Act 2018 and UK GDPR.

10.2 Disclosure of information will be limited to those with a legitimate need to know, such as the WDIO, DSO, or relevant investigators.

10.3 Where there is risk of serious harm to a student or others, confidentiality may be lawfully breached in line with safeguarding obligations.