



## **Harassment and Sexual Misconduct Policy**

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## 1. Policy Statement

Matrix College (the college) is committed to equality of opportunity and will not tolerate harassment and sexual misconduct.

All members of the college community have the right to work and study in an environment that encourages harmonious relationships; all individuals should be treated with dignity and respect so that they can fulfil their potential in our learning environment.

## 2. Scope

The purpose of the policy and any procedures contained within, is to encourage a culture where harassment and sexual misconduct will not be tolerated, and to outline the steps that will be taken to deal with any issues of harassment and sexual misconduct.

This policy applies to staff, students, placements, visitors and third parties. It covers all forms of harassment and sexual misconduct whether it takes place in person, online or in any other context related to the college.

## 3. Responsibilities

The Operational Team is responsible for monitoring the effective implementation of this policy and procedure.

All Programme Leads and tutors are responsible for positively encouraging respect for dignity, and for dealing with harassment and sexual misconduct if it arises.

The Principal is responsible for managing formal reports of, harassment and sexual misconduct

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## 4. Definitions

It is the conduct itself and the impact on the recipient(s) that determine what constitutes harassment and sexual misconduct

### Harassment

The Equality Act 2010 defines harassment as being 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race (including colour, nationality, ethnic or national origin)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

Harassment related to these characteristics is unlawful.

Examples of harassment may include (but are not limited to):

- Offensive comments including gossip or jokes.
- Watching, invasion of private space, unnecessary and unwanted physical contact.
- Intimidation through shouting, threats, blackmail, demeaning or insulting language
- Persistently using the incorrect title or pronoun for a transgender person or person who does not identify with a gender.
- Racist, misogynistic and/or suggestive comments/pictures using any form of technology.

### Stalking

Stalking is also a form of harassment and are examples of unwanted and repeated behaviours such as (but not limited to);

- Following an individual or group
- Unwanted and persistent contact such as nuisance calls, emails or any other form of communication
- Spying in person or through other means such as cameras.

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### Bullying

Whilst bullying is not defined in UK law, it can be described as threatening, abusive, intimidating, undermining or insulting behaviour that may be an abuse of power, position or knowledge. What one person may consider as bullying behaviour may be viewed as no more than firm management or strong personality by another and so may sometimes be difficult to define. However, inappropriate behaviour that leads to other people becoming stressed, demotivated or frightened is unacceptable.

#### Victimisation

Victimisation is when a person or group is mistreated because they have made, or intend to make, a complaint of discrimination (including harassment and sexual misconduct) or have helped another person or group to make a complaint under the Equality Act 2010 by providing evidence or information.

Victimisation can count as unlawful discrimination and result in disciplinary action, regardless of the outcome of the original complaint.

#### Hate Crime

This crime is committed against individuals or groups due to gender, sexual orientation, race, religion/belief or disability. Examples of which are threatening behaviour including protests, assault and incitement.

#### Sexual Misconduct

Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010).
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010).
- Assault (as defined by the Sexual Offences Act 2003).
- Rape (as defined by the Sexual Offences Act 2003).
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017).
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017).
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

Other examples are (but not limited to):

- Any sexual advances without consent.
- Sharing/Recording intimate images without consent
- Sending unsolicited messages in any format.
- Encouraging behaviour that would impact consent, i.e. drugs, alcohol for sexual favours.
- Engaging in any event or comment that would lead to humiliation of a sexual nature.

For information;-

A **Reporting Party** is generally defined as the person responsible for submitting information to the college in relation to a disclosure or report.

A **Respondent** is defined as the person against whom a disclosure or report is made.

#### **5. Disclosure and Reports Procedure.**

Disclosures and reports will be dealt with sensitively, discreetly and in a timely manner. Care will be taken to respect the need for confidentiality at every stage. (Please see the college's Code of Ethics & Professional Conduct, section D 1.8)

Disclosure means the individual informs a member of the college's community that they have experienced a form of harassment and/or sexual misconduct. Disclosures can be made in person, by email and if necessary, anonymously.

Depending on the severity of the disclosure a variety of resolutions will be considered from an internal agreement, a formal report and where appropriate, involvement of the police.

In the first instance, the incident should be discussed by the reporting party with the respondent. This should involve giving one or more example(s) of the unacceptable behaviour and agreeing how behaviour will change in the future. The individual may not be confident in doing this alone and it may be appropriate for another person such as Programme Lead to assist.

Another option is to write to the respondent, outlining the unacceptable behaviour, with example(s), and asking for a change in behaviour.

The college understands that it may be difficult to bring a report of unacceptable behaviour to the attention of college staff. There is an inevitable tension between not wanting to report a peer/colleague/third party/staff member and the requirement to ensure the safety of everyone at the college. If unacceptable behaviour is not reported, there is an inherent danger to others; including clients, and this will escalate risk to the college community.

All reports will be dealt with sensitively and be taken seriously. Someone making a report may wish to have their identity protected; this is understandable and the college will acknowledge this; however, in the process of investigating and/or resolving an incident, it may be necessary to identify some or all the parties concerned. Therefore, it cannot always be guaranteed that the person reported against will not know, or be informed, of the identity of the reporting party.

The reporting party can seek a meeting with the Principal to discuss options available to resolve the situation. This could include arranging an informal meeting with both parties to discuss the matter openly. In these circumstances, the respondent would have to be informed in advance of the disclosure to give them a fair opportunity to respond. Both parties could be accompanied by an appropriate person and the Principal would try to facilitate a resolution.

A log of all resolved - disclosures is held by the Principal.

#### **6. Formal Reports Procedure**

A report involving either a member of staff or a student, either as a respondent or reporting party, should be made in writing to the Principal using the **Students Complaints and Grievance Procedure**

The complaint should be detailed and include any evidence upon which the complainant intends to rely.

Once a written complaint about a member of staff or student has been submitted and an investigation has started it cannot be retracted, as the respondent has the right to know the details of the complaint, to have it investigated, respond to any allegations, and appeal against any penalty. The college is clear that any respondent is not necessarily blameworthy and will ensure that appropriate support is available for that person during the procedure as well.

If the complaint is very serious or involves a criminal offence, the Principal may immediately contact the police and invoke the Conduct and Discipline procedure as appropriate. This may also be appropriate if the complaint does not involve bullying, harassment or victimisation but does involve other forms of misconduct.

The Principal will acknowledge the complaint within fifteen working days and will inform both the complainant and the respondent that an investigation is to be undertaken, by whom, and what the procedure involved will be. The Principal will also provide the respondent a copy of the full complaint against them, along with any accompanying evidence supplied.

The Principal will aim to meet the timescales set out in this procedure, as far as reasonably practicable. If there are any special circumstances which dictate longer timescales, this will be communicated to both parties.

## **7. Procedures for Investigation**

The Principal will investigate the complaint. If the complaint is against the Principal, the External Moderator will investigate, using the same procedure.

An investigation will be completed as soon as reasonably practical but will not normally take longer than 20 working days, the following process will be followed:

1. Interview the complainant.
2. Interview the respondent.
3. Interview any witnesses.
4. Consider the evidential material provided.
5. Repeat any of the above stages as required.
6. Compile a report of the investigation (compiled within 15 working days of the end of the investigation).

The report should include a summary of the investigation procedure, including details of investigation meetings, a list of written evidence, an analysis of the claims being made, and a conclusion. Possible outcomes will include (but not be limited to):

i. The complaint is not upheld. The investigator thinks the evidence does not support the complaint, in which case the procedure is complete.

ii. The complaint, or some parts of it, are upheld. This will have consequences:

For students who have a, harassment and sexual misconduct complaint against them upheld, the Fitness to Study procedure will be invoked (Stage 1 or Stage 2, depending on the severity of the issue).

For tutors who have a, harassment and sexual misconduct complaint against them upheld, the procedure for a breach of the Code of Ethics and Professional Conduct will be invoked. It is very

possible that the matter will be viewed as breach of the Code, and therefore a breach of the tutor agreement.

Members of the college staff (payroll) who have a harassment and sexual misconduct complaint against them will be dealt with via HR procedures.

## 8. Support

The college will support all students and staff who are subject to any form of, harassment or sexual misconduct, ensuring that those involved are heard and that all matters are conducted in a safe environment.

Where a member of staff or a student feels that they have been bullied, harassed or are a victim of sexual misconduct, they can seek support from the Principal.

Where the complaint is against the Principal they can seek support from the Chair of the Ethics committee.

## 9. Oversight

Any actions (requirements, recommendations, guidance, or a combination of these) that may be identified for any parties involved will be monitored or followed up by the Principal (or the Chair of Ethics, if the complaint is against the Principal).

Document name	Harassment and Sexual Misconduct policy		
Owner	Principal	Review Lead	Quality Manager
Approving Committee	Ops Team		
Last review	November 2025	Next review	November 2027
Amendments since last review	Detail of Revision	Date of Revision	Revision approved by
	Updated to add approving committee	30/11/2025	Ops Team
	Updated to expand the policy wording including sexual misconduct		



