

# Student Prevention of Harassment and Sexual Misconduct Policy

<b>Approved by:</b> Academic Board	<b>Effective date:</b> 1 August 2023	<b>Next review:</b> 31 July 2026
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## Policy Statement

Canterbury Christ Church University is committed to ensuring a safe, compassionate, and inclusive working and learning environment for all members of the University Community. We believe all students, staff, and visitors have the right to live, study and work in a safe and supportive environment, free from harassment and/or sexual misconduct of any form. Our whole university Expected Behaviours of Students Statement promotes positive actions when we see or hear others acting inappropriately by challenging and/or reporting behaviours that falls short of our commitment to each other and are in breach of the principles of the statement.

## Who needs to know about this Policy

- All staff, students, Students' Union, apprentices and volunteers.
- Applicants and visitors to the University.
- Collaborative partners.

## Purpose of the Policy

This Policy aims to raise awareness and enable students to recognise incidents of harassment and/or sexual misconduct and to provide a supportive culture that encourages disclosure and reports of alleged incidents.

The University recognises however, that incidents of harassment and sexual misconduct can occur within the University community. Such incidents and behaviours are taken seriously. Any individual that experiences or witnesses an incident or behaviour that may constitute harassment and/or sexual misconduct whilst living, studying, working, or participating in a University activity will be listened to and treated with dignity and respect.

This Policy sets out how the University handles and supports disclosures and reports of alleged incidents of harassment and/or sexual misconduct conducted by all registered students taught at Canterbury Christ University or studying for a Canterbury Christ Church University award.

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## Contacts

The Directorate of Student Resolution and Student Protection is responsible for:

- Providing advice, guidance and training with regards to this Policy.

The Early Resolution and Case Handling team can be contacted by emailing: [casehandling@canterbury.ac.uk](mailto:casehandling@canterbury.ac.uk).

The Directorate of Student Wellbeing, Community & Belonging is responsible for:

- Providing specialist support to students at the University's home campuses in response to disclosures of harassment and/or sexual misconduct, including for example confidential support for both reporting and reported parties and requested support from an Expect Respect Adviser via the 'Support' pathway in the [Report + Support](#).

The Students' Union is responsible for:

- Providing independent support, advice, and advocacy for students at the University's home campuses through the Students' Union Advice Centre. The Students' Union Advice Centre can be contacted by emailing: [advice@ccsu.co.uk](mailto:advice@ccsu.co.uk).
- The contacts, support mechanisms and role titles set out in this Policy describe those in place at the University's home campuses. The names and specific steps of student support and advocacy may differ where the student is registered at a collaborative partner, for more detailed information refer to the Memorandum of Agreement.

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### 1. Principles

- 1.1. Canterbury Christ Church University (CCCU) holds the following sets of Principles to reflect the University's commitment to effectively building and maintaining an environment that is safe, compassionate, and inclusive. All members of CCCU community have a responsibility for upholding these sets of Principles.
- 1.2. All members of the CCCU community will contribute to preventing harassment and/or sexual misconduct by demonstrating the expected behaviours of our community. We will hold accountable any individual alleged to have breached the expectations and principles set out in this Policy and related Procedures.
- 1.3. We will respond to reports of harassment and sexual misconduct in a sensitive and considered manner and through a process that is transparent and clearly communicated to Reporting and Reported parties. We will respect the right of the individual disclosing an experience to choose how to take forward a Disclosure.
- 1.4. We are committed to working with partners, students, and key internal and external groups to build positive relationships to support, prevent and proactively promote a culture where our expectations are transparent to the wider community and to our placement providers.
- 1.5. We aim to promote equity, diversity and inclusion and embed a strong sense of belonging in all that we do. We will work to sustain an equitable and safe environment in which a culture of prevention:
  - 1.5.1. is visibly promoted,
  - 1.5.2. remains relevant, and
  - 1.5.3. meets the needs of our diverse student body through effective education and training on behaviours that may constitute harassment and sexual misconduct.
- 1.6. We will actively listen and seek to learn from experiences, incidents and broader cultural matters at CCCU, enabling the University to:
  - 1.6.1. address behaviours within our community,
  - 1.6.2. shape and respond to national policy, practice and regulatory expectations and requirements,
  - 1.6.3. provide reassurance to the CCCU community and Governing Body of the University's ongoing commitment to preventing and responding to harassment and sexual misconduct.

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- 1.7. All staff will be informed of the Policy and trained appropriately for their roles. All staff involved in the process, whether through Procedure or provision of support, are expected to act with impartiality and discretion.
- 1.8. We will train staff to foster an environment that celebrates diversity, inclusivity, and the lived experiences of our community and to teach, learn and debate differing views and opinions which constitute lawful free speech and within the freedom of speech principles.

### 2. Scope of the Policy

- 2.1. This Policy applies to alleged incidents of harassment and/or sexual misconduct that involves one or more than one Canterbury Christ Church (CCCU) registered student. Registered students include students studying at a Collaborative Partner.
- 2.2. All Reports considered under the accompanying Procedure will be based on the balance of probabilities in accordance with the Student Conduct Procedure.
- 2.3. The alleged incident of harassment and/or sexual misconduct may have occurred:
  - 2.3.1. On CCCU premises;
  - 2.3.2. Via CCCU IT systems;
  - 2.3.3. In CCCU accommodation;
  - 2.3.4. Via online activities whether via email, the internet, or social media;
  - 2.3.5. While participating in CCCU activities;
  - 2.3.6. Off CCCU premises, for example at a collaborative partner;
  - 2.3.7. While participating in Students' Union activities on premises or events, clubs and societies where incidents are referred in accordance with the Bye-Laws of Christ Church Students' Union.
- 2.4. This policy applies to CCCU registered students who experience harassment and/or sexual misconduct. If the Reported Party is a member of staff then the report would be handled under the Staff Disciplinary Procedure.
- 2.5. This Policy does not apply to incidents that do not constitute harassment and/or sexual misconduct. Incidents of misconduct that pertains to allegations and reported breaches of the expectations and principles set out in the Expected Behaviours of Students will be considered in accordance with the Student Conduct Procedure.
- 2.6. This Policy applies to disclosures and reports of alleged incidents of harassment and/or sexual misconduct involving CCCU registered students. Staff that experience acts of bullying, harassment,

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sexual misconduct, discrimination, or victimisation that involves one or more than one staff member will be taken seriously under the Anti-Bullying and Harassment Policy (Dignity at Work).

### 3. Support

- 3.1. The University is committed to providing support to members of its community affected by harassment and/or sexual misconduct.
- 3.2. Support resources are available to any member of CCCU community at the University's home campuses who discloses an incident regardless of whether they choose to report the incident to the University or to the Police. Confidential specialist support from practitioners in the Student Wellbeing Service will be provided for example to any student who uses the 'Support' function to make a disclosure or who contacts the Service directly. This will include support to understand and access all the available options for further support and reporting. Further support information is outlined on the [Report + Support](#) page and includes external support providers.
- 3.3. Should the individual choose to report under the Policy additional support will also be provided by the [University's Student Wellbeing Services](#) to both the Reporting Party and the Reported Party. This support will be provided by different members of staff.

### 4. Definitions

- 4.1. The definitions below have been separated into terminology used within this Policy and explanations of the types of behaviour captured under this Policy which amount to a Policy breach. This should be read in conjunction with the Student Conduct Procedure - Schedule 3: Examples of Alleged Misconduct that would constitute unacceptable behaviours and Schedule 4: Definitions of Misconduct.

#### Terminology

- 4.2. **Disclosure** involves an individual choosing to tell anyone who is part of the University community about their experience of harassment and/or sexual misconduct. Unlike a report, a disclosure does not initiate an investigation or action. The University respects the right of the individual to choose how to take forward a disclosure and whether they wish to report an incident anonymously or not. A disclosure would lead to support and options being offered to the individual to determine how they wish to proceed.
- 4.3. **Report** is the sharing of information with a staff member of the University regarding an incident of harassment and/or sexual misconduct experienced by that individual for the purposes of initiating the investigation process by the University, as set out in this Policy, and accompanying Student Conduct Procedure. A report would lead to support and options being offered to the individual.
- 4.4. **Reporting party** is the person(s) who was subject to or who witnessed the alleged incident of harassment and/or sexual misconduct.

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- 4.5. **Reported party** is the person(s) whose behaviour is alleged to amount to an incident of harassment and/or sexual misconduct.
- 4.6. **Freedom of speech principles** is the importance of freedom of speech within the law, academic freedom and tolerance of controversial views in an educational context, or environment, including in University premises, online activities whether via email, internet, or social media, while participating in CCCU activities and situations where events and debates take place.
- 4.7. **Interim Measures Panel (IMP)** involves individuals that may conduct a risk assessment to consider the academic, wellbeing and support needs of the parties, including any interim measures necessary to protect the interests of all parties and to ensure a fair and transparent investigation where appropriate.

### Types of Behaviour

- 4.8. **Harassment**, a course of conduct conducted on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each. References to harassing a person include alarming the person or causing the person distress, under the [Protection from Harassment Act 1997](#).
- 4.9. **Harassment** including **sexual harassment**, includes unwanted behaviour or conduct [of a sexual nature] which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex and sexual orientation under the [Equality Act 2010](#).
- 4.10. **Sexual misconduct** any unwanted or attempted unwanted conduct of a sexual nature and includes but is not limited to:
  - 4.10.1. Sexual harassment as defined by [section 26\(2\) of the Equality Act 2010](#); and
  - 4.10.2. Assault as defined by the [Sexual Offences Act 2003](#); and
  - 4.10.3. Rape as defined by the [Sexual Offences Act 2003](#).

## 5. Initial interventions and early resolution

- 5.1. A person affected by harassment and sexual misconduct under this Policy may wish to resolve the behaviour by reaching a common ground to remedy the situation and to resume a positive learning and working environment. Students are encouraged to speak to a Student Wellbeing Service practitioner or the Early Resolution and Student Case Handling Team. The University recognises it is for the individual affected to determine the preferred pathway for resolution. Seeking to resolve an incident or behaviour is not a barrier to making a report at a later stage.

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- 5.2. The University however may investigate the behaviour should it be established that a duty of care exists.

### 6. Procedure for incidents of harassment and sexual misconduct

- 6.1. Alleged breaches of this Policy by students will be investigated under the Student Conduct Procedure.
- 6.2. All members of the CCCU community are encouraged to use [Report + Support](#) to disclose incidents of harassment and/or sexual misconduct they have experienced or witnessed. Disclosures or third-party reports may be made anonymously using the 'Report' function. Such disclosures will assist to inform campaigns, preventative work and interventions to raise awareness and develop a more inclusive culture.
- 6.3. Students who feel they have experienced harassment and/or sexual misconduct by another registered CCCU student may submit a formal report by way of a Misconduct Incident Report Form to the Early Resolution and Student Case Handling Team by email [casehandling@canterbury.ac.uk](mailto:casehandling@canterbury.ac.uk) or choose to report through the University's [Report + Support](#).
- 6.4. Students who feel they have experienced or witnessed harassment and/or sexual misconduct by a member of staff may wish to make a report to Human Resources (HR) through the University's [Report + Support](#).
- 6.5. Members of staff who feel they have experienced or witnessed harassment and/or sexual misconduct by a registered CCCU student(s) may submit a formal report by way of a Misconduct Incident Report Form to the Early Resolution and Student Case Handling Team by email [casehandling@canterbury.ac.uk](mailto:casehandling@canterbury.ac.uk) or choose to report through the University's [Report + Support](#).
- 6.6. Where there are multiple allegations in a case, one of which is an aspect of harassment and/or sexual misconduct, the University will determine how to proceed.
- 6.7. Information about a reported incident may be shared with the relevant Faculty Safeguarding Lead. If the Reported Party is on a course leading to a professional qualification, where the allegation is also considered to breach professional standards, including those of a Statutory Regulatory Body, it may be deemed more appropriate for the alleged incident to be considered under:
- 6.7.1. [Low Level Concerns and Fitness to Practice Procedure](#) (Faculty of Medicine, Health and Social Care); or
- 6.7.2. [Professional Suitability Procedure](#) (Faculty of Arts Humanities and Education).
- 6.8. Information about a reported incident involving students who have experienced or witnessed harassment and/or sexual misconduct of an individual under the age of 18 or deemed to be an "adult at risk" may be shared with the Head of Safeguarding to determine if there is a safeguarding element involved. The accompanying [Under 18s Safeguarding Policy](#) should be referred to for further information.



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## 7. Interim measures

- 7.1. Following a disclosure or report of harassment and/or sexual misconduct that requires investigation, the University may determine it necessary to introduce interim measures.
- 7.2. An Interim Measures Panel (IMP) will not consider the detail of the reported incident. It is intended to assess the academic, wellbeing, and support needs of the parties, consider how to protect the interests of all parties (including any member of the University community affected). The Chair of the Panel will agree on next steps.
- 7.3. Agreed next steps will be undertaken through a risk assessment to consider the level of risk of the case, any necessary immediate actions and whether precautionary actions need to be put in place in accordance with the University Procedures. Any interim measures will be proportionate to the nature of the risk(s) being managed.

## 8. Confidentiality

The University will process all information in accordance with the Data Protection Act and UK General Data Protection Regulations (GDPR) 2018. You can find more information about how the University collects, processes and stores personal data in our [Privacy Policy](#). The Directorate will retain information related to any Disciplinary matter in accordance with the Retention Schedule.

## Student Prevention of Harassment and Sexual Misconduct Policy

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