

# Sexual Harassment and Sexual Violence Policy

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Associated Policy:	Safeguarding Policy, Student Regulations

## 1. Aim or Objective

- 1.1 This policy is designed to protect all students from any form of sexual harassment or sexual violence.
- 1.2 Any reports of sexual harassment and sexual violence will be investigated and any students found to be behaving contrary to this policy will be dealt with through the Student Regulations.
- 1.3 Cambridge Regional College does not tolerate any form of harassment or violence and expects all members of the College community, to treat each other with respect, courtesy and consideration.
- 1.4 The College is committed to fostering an inclusive culture which promotes equality, values diversity, and maintains a working, learning and social environment in which the rights and dignity of all members of the College community are respected.
- 1.5 Those in positions of authority within the College have formal responsibilities under this policy and are expected to familiarise themselves with the procedures.
- 1.6 The aims of the College as reflected in this policy are to:
  - Create a culture of 'it could happen here'
  - Make it clear that harassment is unacceptable and that all members of the College have a role to play in creating an environment free from harassment
  - Create an environment where students feel safe to disclose
  - Ensure systems are in place, well promoted, easily understood and accessible, to enable students to report abuse confidentially
  - Provide a framework of support for students who feel they have been subject to sexual misconduct
  - Provide a framework of support for the alleged perpetrator during an investigation and where appropriate post investigation
  - Supply guidance for staff to identify and deal with events or investigations involving Sexual Misconduct
  - Provide a mechanism by which incidents can, wherever possible, be addressed in a timely way.

## 2. Scope

- 2.1 This policy regarding sexual harassment and sexual violence applies to all student and apprentices enrolled onto a CRC provision.
- 2.2 This policy should be read in conjunction with the college's overarching Safeguarding Policy and Student Regulations.

### 3. Roles and Responsibilities

- 3.1 This Policy is the responsibility of the College's Designated Safeguarding Lead and wider Safeguarding Management Team.
- 3.2 The College has a dedicated Domestic Abuse and Sexual Violence Lead who is a Safeguarding Support Officer with expertise within the DASV field as an Independent Domestic Violence Adviser [IDVA].
- 3.3 All staff have a responsibility to identify, respond to and report any incidences of sexual harassment and /or misconduct.

### 4. Recognising and Reporting

- 4.1 **Harassment** (as defined under the Equality Act 2010) is unwanted conduct related to an appropriate protected characteristic that has the purpose of violating an individuals' dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 4.2 **Sexual Harassment** is a form of harassment and unacceptable behaviour of a sexual nature.
- 4.3 **Sexual Violence** when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 including Rape, Assault by Penetration and Sexual Assault.
- 4.4 Examples of behaviour which may amount to sexual harassment or violence in this Policy include (but are not limited to) the following:
  - Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names
  - Sexual 'jokes' or taunting
  - Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes
  - Displaying pictures, photos or drawings of a sexual nature
  - Sharing of nudes and semi-nude images and or videos
  - Online sexual harassment
  - Upskirting
  - Sexualised online bullying
  - Unwanted sexual comments and messages, including, on social media
  - Sexual exploitation; coercion and threats
  - Any form of sexual violence as outlined in 4.3 including threatening or encouraging sexual violence

## 5. Student Regulations

- 5.1 Any incidents of Sexual Harassment or violence should be dealt with via the Student Regulations as Gross Misconduct.
- 5.2 Students will be made aware during their induction and with reminders during the year that any form of abuse both inside and outside of the College, including online, is unacceptable and that action will be taken. All reports will be taken seriously and investigated by staff including personal tutors, managers and designated Safeguarding Officers.
- 5.3 Any student whose gross misconduct relates to an act of peer on peer abuse, sexual harassment or sexual violence must be recorded on MyConcern following a call to the safeguarding team and updated once an outcome has been determined. All incidents of peer on peer abuse including bullying and or/sexual harassment must be recorded against both the victim(s) and perpetrator(s), labelled appropriately and linked.
- 5.4 Any decision not to exclude a student whose gross misconduct relates to peer on peer abuse or sexual harassment must be sanctioned by either the Principal or the Deputy Principal & DSL.

## 6. Investigations

- 6.1 Prior to the commencement of the investigation, the Head of Department should notify the safeguarding team for advice, support and for any background history. The concern should then be logged on MyConcern.
- 6.2 The investigation of an incident of sexual harassment or violence should be undertaken in line with the Student Regulations, usually by the Head of Department
- 6.3 Where an incident is in relation to sexual abuse and/or sexual violence or where a potential criminal offence has taken place, the Safeguarding Team will share information with the appropriate services and agencies and advise the Head of Department on whether an investigation can take place or if this might impede a police investigation.
- 6.4 When investigating any incidences of sexual harassment or violence the college will consider the wishes of the victim in terms of how they want to proceed and will enable them to have as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however be balanced by the college's duty and responsibilities to protect other students.
- 6.5 The investigating staff member must also consider the best way to create distance between the victim and alleged perpetrator where appropriate. These actions are in the best interests of both students and should not be perceived to be a judgment on the guilt of the alleged perpetrator. (Keeping Children Safe in Education, September 2021)

6.6 It is vital that staff are able to distinguish between usual and unacceptable sexual behaviours. Staff are advised to use the Sexual Behaviours Continuum Model, advocated by the [NSPCC Harmful, Sexual Behaviours Framework](#) when investigating and finalising an outcome. (Annex A)

6.7 The investing manager should consider:

- 6.7.1.1 The wishes of the victim
- 6.7.1.2 Nature of the alleged incident
- 6.7.1.3 Ages of students involved
- 6.7.1.4 Development stages of students involved
- 6.7.1.5 Any power imbalance between the students
- 6.7.1.6 Whether this is a one off, or sustained pattern of behaviour
- 6.7.1.7 Any ongoing risks to other students or staff (Safeguarding to advise)
- 6.7.1.8 Any potential links to sexual abuse or exploitation (Safeguarding to advise)

### 6.8 How to safeguard and supported the alleged perpetrator

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the alleged perpetrator:

- 6.8.1 Consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any student will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- 6.8.2 Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis e.g. does the student have an EHCP, are their other safeguarding concerns. Advice and clarification should always be sought from relevant staff e.g. EHCP lead or Safeguarding Officer.
- 6.8.3 It is important that if the alleged perpetrator does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. This will be undertaken by the Safeguarding Team.

## Document history

Date	Issue number	Change/Comments	Date Approved	Approved by
20/10/2021	1	Document creation	20/10/2021	SMT

## Annex A – NSPCC / Hackett Continuum of Sexual Harassment

<b>Normal</b>	<b>Inappropriate</b>	<b>Problematic</b>	<b>Abusive</b>	<b>Violent</b>
<ul style="list-style-type: none"><li>• Developmentally expected</li><li>• Socially acceptable</li><li>• Consensual, mutual, reciprocal</li><li>• Shared decision making</li></ul>	<ul style="list-style-type: none"><li>• Single instances of inappropriate sexual behaviour</li><li>• Socially acceptable behaviour within peer group</li><li>• Context for behaviour may be inappropriate</li><li>• Generally consensual and reciprocal</li></ul>	<ul style="list-style-type: none"><li>• Problematic and concerning behaviours</li><li>• Developmentally unusual and socially unexpected</li><li>• No overt elements of victimisation</li><li>• Consent issues may be unclear</li><li>• May lack reciprocity or equal power</li><li>• May include levels of compulsivity</li></ul>	<ul style="list-style-type: none"><li>• Victimising intent or outcome</li><li>• Includes misuse of power</li><li>• Coercion and force to ensure victim compliance</li><li>• Intrusive</li><li>• Informed consent lacking, or not able to be freely given by victim</li><li>• May include elements of expressive violence</li></ul>	<ul style="list-style-type: none"><li>• Physically violent sexual abuse</li><li>• Highly intrusive</li><li>• Instrumental violence which is physiologically and/or sexually arousing to the perpetrator</li><li>• Sadism</li></ul>

Source: Harmful Sexual Behaviour Framework (NSPCC, 2019)



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