

Student Harassment and Sexual Misconduct Policy

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The Student Harassment and Sexual Misconduct Policy will be reviewed annually by the Document Lead. Any significant changes beyond the scope of an annual review will require the approval of the Board of Directors acting on recommendations from the Senior Management Team (SMT).

1. Introduction

At Bloomsbury Institute we are committed to creating and sustaining a positive and mutually supportive environment where all students feel safe, are equally valued and respected, and are encouraged to thrive. We are also equally committed to promoting and advancing equality, diversity and inclusion as key features within all our activities, as we believe this to be ethically right and socially responsible.

The equitable treatment of all is among our core values, underpinning our success as a community of scholars. For these reasons, we will not tolerate any form of harassment or sexual misconduct and will therefore treat any allegations of such incidents extremely seriously in line with both relevant legislation (including the Equality Act 2010), regulatory requirements (including Office for Students (OfS) Condition E6) and our own internal policies and procedures. In terms of any procedure or process relating to the treatment of allegations, we will abide by the expectation set by the OfS to take reasonably practicable steps to secure freedom of speech within the law.

This policy document is designed to ensure an environment that promotes a culture of respect in which harassment and sexual misconduct are recognised as unacceptable behaviours. It also aims to reassure students who make reports of harassment or sexual misconduct that these will be dealt with quickly and sensitively with no fear of victimisation.

Bloomsbury Institute's Student Guild shares an obligation to follow this policy to the Introduction.

2. Scope

This policy is for students only and covers any incident of harassment (including bullying) and/or sexual misconduct that:

- affects one or more students during their studies with us (including the conduct of staff towards students, and/or the conduct of students towards students).
- occurs on Bloomsbury Institute premises or during a Bloomsbury Institute related activity. This would include teaching, social events and other activities.
- involves Bloomsbury Institute's IT systems.
- occurs online (regardless of whether or not Bloomsbury Institute systems are used) e.g. via email, the internet or social media.

There is a separate policy (the Staff Bullying, Harassment and Sexual Misconduct Policy) for employees, consultants, self-employed contractors and casual workers.

3. Definitions

This policy is based on the definitions of harassment and sexual misconduct that the Office for Students (OfS) has set out below. A full set of OfS definitions are provided in Appendix A together with other definitions of key terms.

3.1 Harassment

Harassment is defined in the Equality Act 2010 as **unwanted** behaviour or conduct related to a protected characteristic¹ which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. This behaviour (which does not need to be deliberate) may be persistent or occur as an isolated incident. In addition, you do not need to have previously objected to something for it to be unwanted. Harassment can also

¹ The protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

include repeated contact with a person that may cause distress, fear or intimidation².

At Bloomsbury Institute we would extend the above definition of harassment to hate crime which the Home Office defines as 'any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.' There are five centrally monitored strands of hate crime³ and these are:

- race or ethnicity
- religion or beliefs
- sexual orientation
- disability
- transgender identity

A hate crime can include verbal abuse, intimidation, threats, harassment, assault and bullying, as well as damage to property. The perpetrator can also be a friend, carer or acquaintance who exploits their relationship with the victim for financial gain or some other criminal purpose. Examples of hate crime include Islamophobia and antisemitism⁴.

In some cases, behaviour which one individual may regard as acceptable may be regarded as unacceptable to another. However, the key point is that the actions or remarks are regarded as unacceptable by the recipient. It is therefore the effect on the individual that has to be taken into account and not the intention of the "harasser". That said, the perception of the recipient does not automatically mean that the allegation of harassment will be upheld; instead those responsible for managing or investigating the complaint must make a judgement as to whether the behaviour being reported can *reasonably* be regarded as harassment.

3.2 Sexual harassment and sexual misconduct

Under the Equality Act 2010, sexual harassment is defined as unwanted conduct of a sexual nature that has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Something can still be considered sexual harassment even if the alleged harasser did not mean for it to be. It also does not have to be intentionally directed at a specific person.

Sexual misconduct relates to all unwanted conduct of a sexual nature that is committed without consent or by force, intimidation, coercion or manipulation such as sexual assault, sexual harassment, sexual exploitation and sexual intimidation. It therefore 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)

² This is covered in the Protection from Harassment Act 1997.

³ These strands are covered by legislation (sections 28-32 of the Crime and Disorder Act 1998 and sections 145 and 146 of the Criminal Justice Act 2003).

⁴ At Bloomsbury Institute we have adopted the [IHRA Working Definition of Antisemitism](#).

- 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).

Sexual harassment and sexual misconduct or violence can happen to anyone - men, women and individuals of any gender or sexual orientation. In most cases, sexual violence is perpetrated by someone known and even trusted (like a friend, colleague, family member, partner or ex-partner), but it can also be perpetrated by a stranger.

Other relevant definitions and key terms are provided in Appendix A.

3.3 Parties

The **Reporting Party** is the person(s) who witnessed or was subject to the alleged incident of harassment or sexual misconduct.

The **Reported Party** is the person(s) whose behaviour it is alleged amounted to an incident of harassment or sexual misconduct.

4. Forms of harassment and sexual misconduct

Harassment can take a number of forms and can happen either on its own or alongside other forms of discrimination. Consequently, it does not necessarily have to be face-to-face. Harassment may take the form of images and graffiti, spoken or written words or abuse, physical gestures, facial expressions, sexist or racist “banter” and behaviour, jokes and telephone communications. Harassment may increasingly have an electronic dimension e.g. email or offensive tweets or comments on social media (such as Facebook and X). Cyber-bullying, sexual harassment, racial harassment, Islamophobia and Transphobia are all forms of harassment.

To help safeguard our academic community in the online space, we have in force an [Email Acceptable Use Policy](#), an [Internet Acceptable Use Policy](#) and a [Social Media Communications Policy](#). Each of these policies is available to students and staff from our online [Quality Enhancement Manual](#)⁵. In addition, the Email Acceptable Use Policy and Internet Acceptable Use Policy are two of the company documents that all staff are required to read each year.

Sexual harassment, more specifically, can include sexual comments or jokes, physical behaviour, including unwelcome sexual advances, flirting, gesturing or making sexual remarks about someone’s body, clothing or appearance, touching and various forms of sexual assault, asking someone about their sex life, displaying pictures, photos or drawings of a sexual nature or sending emails with a sexual content.

Harassment may be by an individual against an individual or involve groups of people where an individual might harass several colleagues. Similarly, a group of people may also be responsible for harassing an individual or group of individuals.

Some examples of unacceptable behaviour (including harassment and sexual misconduct) are included within **Appendix B**.

⁵ www.bil.ac.uk/qem/section-3/

5. Our approach

At Bloomsbury Institute we work collectively to create an environment that respects the diversity of staff and students and enables them to attain their full potential to contribute fully, and to derive maximum benefit and enjoyment from their involvement in the life of our institution. To this end, we acknowledge being treated with dignity and respect as a basic right to be enjoyed by all members and prospective members of our community. We also recognise the duty of care we have to create and maintain an environment in which all feel safe. With this in mind, we have introduced a ban on intimate personal relationships between staff and students subject to the following exemptions in order to prevent any abuse of power:

- any intimate personal relationships that existed before 1 August 2025 and that remains in existence;
- any intimate personal relationship that existed before the date that the staff member became a staff member.

In the case of exempt intimate personal relationships, the staff member concerned is required to declare the relationship to the Head of People and Development who will ensure the relationship is risk assessed so that conflicts of interest can be managed appropriately. Information on this can be found in our [Personal Relationships Policy and Procedure](#)⁶ and is also captured in summary form in our Staff Handbook. Both documents are documents that all staff are required to read on an annual basis. As for prospective staff, they are made aware of our policy in this area by the Head of People and Development during the recruitment process.

Students who are in an exempt intimate personal relationship with a staff member will not be penalised for participating in such a relationship.

We also articulate our stance on harassment and sexual misconduct in a number of policies and other documents. Examples of these are listed below. In some cases, the statements we make are explicit and in others they are indirect in that they are understood within the terms of dignity and respect:

- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Email Acceptable Use Policy
- Internet Acceptable Use Policy
- Personal Relationships Policy and Procedure
- Safeguarding Policy
- Social Media Communications Policy
- Staff Bullying, Harassment and Sexual Misconduct Policy
- Student Charter
- Student Complaints Policy and Procedures
- Student Disciplinary Policy and Procedures
- Student Handbook

Student representatives are members of some of the committees responsible for reviewing and approving the above policies. This is true in relation to the Dignity and Respect Policy, the Equality,

⁶ www.bil.ac.uk/qem/section-3/

Diversity and Inclusion Policy, Student Disciplinary Policy and Procedures, and the Student Complaints Policy and Procedures.

In addition, equality, diversity and inclusion considerations (including harassment and sexual misconduct) are covered at both staff and student inductions.

5.1 Our commitment

Equality, diversity and inclusion are values to which we are already strongly committed at Bloomsbury Institute. They underpin our Strategic Framework, our Access and Participation Plans, our Inclusive Learning Environment Framework, our regulatory framework (in the form of our [Equality, Diversity and Inclusion Policy](#), our [Dignity and Respect Policy](#)⁷ etc.) and are championed by our Board of Directors through our Equality, Diversity and Inclusion Committee (a committee of the Board) and the Committee's Chair (the Head of Governance and Company Secretary).

Our commitment to the above values is also evident in our compulsory staff training programme. See **Section 6**.

5.2 Governance and accountability

Our Board of Directors has ultimate responsibility for our approach to preventing and, where necessary, responding to incidents of harassment and sexual misconduct in line with OfS [Condition E6](#)⁸ and the Committee of University Chairs' [Practice Note](#).⁹

The above responsibility aligns with the responsibility the Board also has for actively promoting and applying equality, diversity and inclusion throughout Bloomsbury Institute, and for promoting an inclusive teaching and learning environment. This responsibility is clearly articulated within our [Articles of Association](#) and our [Corporate and Academic Governance Framework](#)¹⁰.

To assist in the effective discharge of its duties in the area of equality, diversity and inclusion, the Board has established a sub-committee of the Board, namely an Equality, Diversity and Inclusion Committee. The latter has a number of responsibilities including:

- determining the company's strategic direction in relation to equality, diversity and inclusion, and ensuring this is articulated within the company's Equality, Diversity and Inclusion Policy, and reflected within all other policies and procedures.
- actively promoting, applying, and ensuring compliance with the company's Equality, Diversity and Inclusion Policy, and ensuring the Policy is reviewed annually.

To further embed equality, diversity and inclusion considerations within our governance structures and ensure ongoing compliance with our statutory and regulatory obligations, we have undertaken a number of measures including the following:

- We have included within the membership of our Equality, Diversity and Inclusion Committee, up to six Student Representatives, and two members of our Senior Management Team (which includes our Head of People and Development) who also sit on a number of other key committees. In addition, any member of the Board of Directors has the right to attend meetings of the committee.
- Both Directors and Non-Executive Directors on the Board are required to complete compulsory training on an annual basis under the equality, diversity and inclusion

⁷ Both policies can be accessed from www.bil.ac.uk/qem/policies/

⁸ www.officeforstudents.org.uk/for-providers/student-protection-and-support/harassment-and-sexual-misconduct/condition-e6-harassment-and-sexual-misconduct/

⁹ www.universitychairs.ac.uk/wp-content/files/2022/05/CUC-Tackling-Harassment-Publication-May-2022-FINAL-1.pdf

¹⁰ Both documents can be accessed from www.bil.ac.uk/qem/section-1/

umbrella, namely courses on Equality and Diversity, and Unconscious Bias. This is also a requirement for staff representatives at the Board. In addition, the Executive Directors and staff representatives are required to complete training on Bullying and Harassment each year.

Accountability for compliance with the Equality Act 2010 and our own related internal policies is achieved through a number of mechanisms including the following:

- Reports of the EDIC are submitted to the Board of Directors after each meeting of the EDIC and minutes of the same are shared with the Strategic Leadership Team, Senior Management Team, Academic Committee and Quality Assurance and Enhancement Committee for consideration and action or information, as appropriate.
- Monthly EDI update reports are submitted to the Senior Management Team, and Academic Committee for consideration and action.
- An Annual Equality, Diversity and Inclusion Report is approved by the EDIC and shared with the Board of Directors, Academic Committee and Senior Management Team to evidence Bloomsbury Institute's commitment to creating and sustaining a positive and mutually supportive environment where all staff and students are equally valued and respected, and encouraged to thrive.
- This Student Harassment and Sexual Misconduct Policy requires the approval of the Board of Directors upon recommended approval by the Senior Management Team unless any reviews indicate only minor amendments are required. This approach is in line with our Quality Department's Document Review Guide.
- An annual report to the Board of Directors on incidents of harassment or sexual misconduct that would include the number and type of incidents, responses, outcomes and trends. This will provide an opportunity for the review and discussion of preventative measures and their impact on students. The content of these reports will be subject to data protection considerations. In the event of there being no known incidents, the report would confirm that that was the case.

6. Training

In addition to compulsory training for all staff detailed in section 6.1 below, training will be provided on the basis of a needs assessment according to responsibilities set out within this policy document.

6.1 All staff

Recognising our obligations under the Equality Act 2010 and OfS Condition E6, we require all staff to complete Advance HE's Addressing Harassment and Sexual Misconduct Affecting Students in Higher Education online training course on an annual basis. The purpose of this course is to help staff understand professional boundaries, the nature and impact of harassment and sexual misconduct, and how to respond effectively to disclosures thereby creating safer and more inclusive environments for students and staff.

In line with the requirements of OfS Condition E6, we check that any training that we commission from external sources or provide internally, is underpinned by credible evidence. We also evaluate the experience of participants and will make any modifications to future training as we feel necessary in light of feedback received. We will also ensure that the training we or others deliver is consistent with our free speech obligations.

In addition to the above training, all staff are required to complete the following online courses within 1 month of joining Bloomsbury Institute and at least every 3 years thereafter:

- Equality and Diversity

- Bullying and Harassment
- Freedom of Speech and Academic Freedom
- Unconscious Bias

The Head of People and Development is responsible for monitoring completion of the training and issuing reminders where necessary.

To complement the above training, there are a number of core company documents (including this policy document) that all staff are required to read on an annual basis. These include our Equality, Diversity and Inclusion Policy, Dignity and Respect Policy, Code of Practice on Freedom of Speech and Academic Freedom, Personal Relationships Policy and Procedure, Safeguarding Policy, and our Unconscious Bias Guidance Notes. Our HR Online system provides a mechanism for monitoring staff who have read/have yet to read all our core compulsory company documents.

Completion of all compulsory training and the reading of all core company documents on an annual basis are essential for criteria for a successful appraisal.

6.2 Designated staff roles

We have two trained Sexual Violence Liaison Officers: the Deputy Chief Operating Officer, and the Director of our Centre for Student Engagement, Wellbeing and Success (SEWS) who is also the Institute's designated Safeguarding Lead. In addition, we have provided additional relevant training to specific staff members from both within our Academic Division and Professional Services team in the following areas given the specific roles they have been assigned in these capacities:

- Hearing disclosures of harassment and/or sexual misconduct
- Conducting investigations
- Acting as panel members

6.3 All students

The Director of SEWS is responsible for organising compulsory training in relation to harassment and sexual misconduct for new students within the first few weeks of their course starting. This specialist-led training (which will include bystander training) is consistent with our [Code of Practice on Freedom of Speech and Academic Freedom](#)¹¹. In addition, the Director of SEWS runs compulsory awareness raising sessions for returning students.

Students who have previously experienced harassment or sexual misconduct can be exempted from the above training and awareness raising sessions.

In addition, to the above, we cover equality, diversity and inclusion areas more generally with students at Induction along with an introduction to our online [Quality and Enhancement Manual](#) (QEM) where students can access our policy documents. We also cover behavioural expectations in terms of respect for one another within our [Student Charter](#) and our [Student Handbook](#). Our Induction events provide new students with the opportunity to learn more about our institutional values, which include inclusivity and treating people well, and the areas of the Student Charter relating to respect and building an inclusive community are examined in more depth in interactive group discussions.

¹¹ www.bil.ac.uk/qem/section-3/

7. Awareness

We have created a [Self-help Resources](#)¹² page within our Wellbeing Unit on Canvas which provides information on external sources of support and external reporting mechanisms available in relation to a range of matters including harassment, sexual harassment, and hate crime. See **Appendix B** for details of relevant entries. This complements the formal training and information we provide to our students.

8. Responsibilities

Every member of our academic community including visitors to our Institute has a right to be treated with dignity and respect. However, with that right comes the following responsibilities which apply to all members and prospective members of our academic community (again including visitors):

- To treat others with dignity and respect.
- To challenge inappropriate behaviours in others.

Similarly, all members of our academic community including visitors, have a responsibility to report a suspected disciplinary offence.

9. Case Management Process

9.1 Reporting process internally

Students are encouraged to report inappropriate behaviours from staff or fellow students. Students who are in an intimate personal relationship¹³ with a staff member that Bloomsbury Institute considers to be exempt from its ban on such relationships are also encouraged to do the same should they experience inappropriate behaviours from the member of staff in question. These students would be protected from retaliation by the staff member in question if they were to report harassment or sexual misconduct by the same staff member.

Students and staff can report an incident of bullying, discrimination, harassment, hate crime and sexual misconduct either online or in person. Reports can also be made by others acting on behalf of students who have alleged and/or experienced such an incident, or on behalf of witnesses, from third parties, for example third party reporting centres.

Online reports can be made on a named basis or anonymously via [Report and Support Services](#)¹⁴ on our website.

Although there is no time limit for reporting incidents, delayed reporting may present challenges when trying to investigate any reported incident. When a disciplinary matter is raised regarding an incident that occurred prior to changes being made to the Institute's policy documents, the documents in force at the time of the incident will be applied.

Information on reporting options is included within our [Single Source of Information](#)¹⁵ which is published on our website.

¹² <https://canvas.bil.ac.uk/courses/777>

¹³ Concerning intimate personal relationships, the Head of People and Development has responsibility for ensuring that the relationship is risk assessed so that conflicts of interest can be managed appropriately, for example, regarding student assessments.

¹⁴ www.bil.ac.uk/support/

¹⁵ www.bil.ac.uk/student-harassment-and-sexual-misconduct/

Reporting an incident online or in person is not the same as making a formal complaint. There is a separate process for making a formal complaint. Please refer to the Student [Complaints Policy and Procedures](#)¹⁶

9.1.1 Online reports

Reports can be made online on our [Report and Support Services](#)¹⁷ page. Our online reporting forms include information and links to further guidance on how the information submitted may be used. This explanation is also included in our [Student Complaints Policy and Procedure](#)¹⁸.

When reporting an incident online, students and staff can choose to provide their name or report anonymously.

9.1.2 In person reports

All students and staff members are encouraged to raise any concerns that they may have or incidents they have experienced or witnessed with whoever they feel most comfortable doing so. However, students would be encouraged to approach one of the members of staff who have received specialist training in relation to disclosures of harassment and sexual misconduct. Information and contact details for these staff members can be found on our website in our [Single Source of Information](#)¹⁹. Included within this group are staff within our Centre for Student Engagement, Wellbeing and Success.

9.2 Responding to incidents

We take all reports of harassment and sexual misconduct extremely seriously. We are therefore committed to responding quickly, sensitively and fairly to resolve (without bias) any issues or allegations as we recognise our duty of care to all within our academic community. This includes not only the Reporting Party, the Reported Party and any witnesses to an incident, but also the wider community which may be affected by the situation.

If a student makes an allegation of sexual harassment or sexual misconduct, they will be assigned a Sexual Violence Liaison Officer (SVLO) to provide not only support but also information on the options they have available to them in terms of disclosing the allegation to the Police and/or making a formal complaint against the reported party under our relevant policies. This support will also be given if the Reporting Party is neither a student nor staff member at Bloomsbury Institute.

In circumstances where the allegation of harassment or sexual misconduct may constitute a criminal offence, the matter should be reported immediately to the Principal and Chief Executive Officer or the Deputy Chief Operating Officer. However, we will not routinely report the matter to the Police as we will be guided here by the wishes of the Reporting Party. The only exception would be where we consider there to be a safeguarding concern for either the Reporting Party or others or to prevent a further crime being committed. This assessment will be undertaken on a case-by-case basis.

In the event of us deciding that it is necessary for us to report the alleged crime to the Police, we will notify the Reporting Party to explain the reasons for our decision. This will also ensure that the Reporting Party is prepared for any possible approach from the Police.

Where appropriate, we will make every effort to achieve an informal resolution to any concern raised or incident reported. However, where this is not appropriate, where the Reporting Party does not wish to take an informal approach or where informal resolution proves unsuccessful, we will apply the procedures set out within our relevant complaints and disciplinary policies and procedures. The latter cover the investigatory process, decision-making process and associated timescales as well as the right to appeal.

¹⁶ www.bil.ac.uk/qem/section-3/

¹⁷ www.bil.ac.uk/support/

¹⁸ www.bil.ac.uk/qem/section-3/

¹⁹ www.bil.ac.uk/student-harassment-and-sexual-misconduct/

The table below provides details of the policy that will be followed in response to a complaint in terms of investigation procedures, outcomes and appeals. Fundamental to our policies and procedures in the area of harassment and sexual misconduct is recognition of the need for an investigatory process that is demonstrably transparent, independent, and free from any reasonable perception of bias.

Nature of the complaint	Relevant Policy	Comment
Student complaint about a student	Student Complaints Policy and Procedures	Such complaints may be referred to the Student Disciplinary Policy and Procedures at the discretion of Bloomsbury Institute.
Student complaint about a staff member	Student Complaints Policy and Procedures	Such complaints may be referred to the Staff Disciplinary Procedure at the discretion of Bloomsbury Institute.

Both the [Student Complaints Policy and Procedures](#) and [Student Disciplinary Policy and Procedures](#)²⁰ set out in detail the relevant process with timescales for investigation and decision-making (including factors that may affect timescales), the range of possible actions, and appeal mechanisms, and include also a user-friendly flowchart of the procedures involved. However, if students need any support understanding the procedures, they can contact the Deputy COO at deputycoo@bil.ac.uk.

Any disciplinary matter will be dealt with under the policy in place at the time the report is made. Copies of previous iterations of policies can be obtained from our online [Quality and Enhancement Manual](#)²¹ or directly from our Quality Department.²²

9.3 Possible penalties

9.3.1 Where the perpetrator is a student

The penalties for misconduct are set out in the Student Disciplinary Policy and Procedures and include but are not limited to the following:

- An initial written warning
- A final written warning
- Expulsion from Bloomsbury Institute
- The withdrawal of access to Bloomsbury Institute's facilities and services and those provided by Bloomsbury Institute's partners and third parties
- Compensation (in cases of vandalism, damage by fire etc.)

9.3.2 Where the perpetrator is a staff member

The penalties for misconduct are set out in the Staff Disciplinary Procedure and include the following:

- A first written warning
- A final written warning

²⁰ Both documents are available from www.bil.ac.uk/gem/policies

²¹ www.bil.ac.uk/gem/section-3/

²² quality@bil.ac.uk

- Dismissal
- Demotion
- Transfer to another department or job
- A period of suspension without pay,
- A reduction in pay
- Loss of future pay increments or bonuses

10. Outcomes

Where a complaint has been made about a student or a member of staff, we will provide the Reporting Party and Reported Party with an outcome of the investigatory process where we are able to share this information, or an explanation of any actions we have taken, or not taken, as a result of learning from the Reporting Party. However, it may not be appropriate for us to share specific details affecting the other student or staff member, particularly where disciplinary action is being taken. Where this is the case, we will provide relevant parties with sufficient information to understand any decisions we take and the reasons for them. Should the outcome of a process change, we would inform both parties accordingly.

11. Support

We will deal with any allegations of harassment or sexual misconduct in a sensitive and objective manner. We are therefore committed to supporting the Reporting Party, the Reported Party and any witnesses in any alleged incident of harassment or sexual misconduct regardless of whether a formal report or complaint is made.

Support and advice for students with different needs, including those with needs affected by the student's protected characteristics, is provided by staff within our [Centre for Student Engagement, Wellbeing and Success](#)²³ (SEWS). This support is available to students whether or not the incident has occurred on Bloomsbury Institute premises or in connection with a student's registration. Depending on the nature and severity of the incident, additional support may be available of a more practical nature through other Divisions and Departments (e.g. extension and mitigating circumstances requests and measures to manage contact between the Reporting Party and the Reported Party) and witnesses to ensure that all students involved are able to continue to engage with their studies should they wish to do so. SEWS staff will explore the availability of any such additional support on behalf of those students needing it.

Support information and guidance is also available in [Report and Support Services](#)²⁴ on our website.

All support possible will be available not only at the reporting stage, but throughout any formal investigation, and following its outcome, as appropriate.

We will also signpost or refer students to external sources of support or reporting channels where appropriate e.g. the police, NHS, sexual assault referral centres or hate crime reporting centres, or to local specialist services such as Rape Crisis, if specialist support is needed.

Information on external organisations that you can contact in relation to hate crime, rape, sexual assault, domestic abuse and violence, and other crimes can be found on our website in our [Single Source of Information](#)²⁵.

²³ Staff within the Centre for Student Engagement, Wellbeing and Success can be contacted at sews@bil.ac.uk

²⁴ www.bil.ac.uk/support/

²⁵ www.bil.ac.uk/student-harassment-and-sexual-misconduct/

12. Anonymity

It is understood that deciding to make a report can be a difficult decision to make and that the Reporting Party may feel the need for anonymity. However, it should be noted that if a Reporting Party makes an anonymous report, this will mean that we will be unable to help the Reporting Party directly. Information provided will help us to offer better support to others and inform prevention work across Bloomsbury Institute. However, by reporting anonymously, no formal action such as a disciplinary can be taken against someone named or identifiable.

Any information disclosed in a report will only be passed on to relevant staff members on a strictly need to know basis. We will not disclose any personal or identifiable information to others, except as set out in our [Duty of Care Guidance](#)²⁶.

Data or information provided in a report is important to us. We will not collect or store any information that goes against our [Report and Support Services Privacy Notice](#)²⁷. In certain circumstances, Bloomsbury Institute may judge that action is required even if the person reporting is not requesting any. This will be done in accordance with our [Duty of Care Guidance](#).

13. Confidentiality

We will deal with complaints on a confidential basis in line with relevant legislation and internal policies (e.g. our [Data Protection and Confidentiality Policy](#)²⁸ and our [Confidentiality Note](#)²⁹ but may need to disclose details of a complaint to other persons or organisations in order to investigate the complaint and seek an effective resolution, and also to safeguard members of our academic community. We explain within our [Student Complaints Policy and Procedures](#) how we may use information disclosed to us, how all relevant parties affected by any decisions will be identified and what information (including outcomes) will be shared (and at what point) with each relevant party. In the event of the Reporting or Reported student requiring internal or external pastoral support, we may, with their consent, need to disclose contained information for referral purposes.

14. Data collection

We will maintain a record of disclosed incidents of sexual misconduct, bullying, harassment and/or discrimination in order to inform any further work in this area in terms of training and changes to reporting mechanisms for example. Anonymised reports on reported incidents, how those reports are managed and our work in relation to prevention, education and support will be shared on an annual basis with the Senior Management Team, Board of Directors and any other relevant committees. All records are kept in line with our Records Management Policy³⁰.

15. Non-disclosure Agreements

We do not prevent or impose any restrictions on students disclosing information about an allegation of harassment or sexual misconduct. As a result, we would not ask students to sign non-disclosure agreements (NDAs) in such circumstances. Our approach here is in line with the ban that the OfS has imposed on higher education providers in using NDAs in relation to student allegations of harassment and sexual misconduct.

²⁶ www.bil.ac.uk/app/uploads/2025/07/Report-and-Support-Services-Duty-of-Care-WV.docx

²⁷ www.bil.ac.uk/app/uploads/2025/07/Report-and-Support-Services-Privacy-Notice-WV.docx

²⁸ Both policy documents can be accessed from www.bil.ac.uk/qem/policies/

²⁹ www.bil.ac.uk/app/uploads/2025/07/Report-and-Support-Services-Confidentiality-Note-WV.docx

³⁰ www.bil.ac.uk/qem/section-3/

16. Related regulations, policies and procedures

- Data Protection and Confidentiality Policy
- Report and Support Services Privacy Notice
- Duty of Care Guidance
- Confidentiality Note
- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Email Acceptable Use Policy
- Internet Acceptable Use Policy
- Personal Relationships Policy and Procedure
- Records Management Policy
- Safeguarding Policy
- Staff Disciplinary Procedure
- Staff Grievance Procedure
- Student Complaints Policy and Procedures
- Student Disciplinary Policy and Procedures

17. Review of Student Harassment and Sexual Misconduct Policy

This Student Harassment and Sexual Misconduct Policy will be reviewed annually by the Document Lead. Any significant changes beyond the scope of an annual review will require the approval of the Board of Directors acting on recommendation from the Senior Management Team (SMT).

Appendix A: Definitions and key terms

1. The following definitions provided by the Office for Students (OfS) underpin our policy and procedures relating to harassment and sexual misconduct.

- **Abuse of power** means a situation where a relevant staff member exploits a position of power in relation to a student so as to apply pressure in a way which:
 - may result in the student doing something, or refraining from doing something, that they may not have otherwise done; and
 - that action or inaction could reasonably result in something that falls within the scope of an intimate personal relationship.
- **Ban on intimate personal relationships** means a policy or rule which provides for both of the following elements:
 - with the exception of excluded relationships, any relevant staff member is prohibited from having an intimate personal relationship with one or more students; and
 - any breach of such prohibition by a relevant staff member would result in the provider taking appropriate steps in line with its usual disciplinary process, including the possibility of the breach resulting in dismissal of the relevant staff member.
- **Excluded relationships** means any ongoing intimate personal relationship that:
 - existed before the date this condition comes into force and that remains in existence; or
 - existed before the date that the staff member became a relevant staff member in relation to that student.
- **Freedom of speech principles** means the following requirements:
 - irrespective of the scope and extent of any other legal requirements that may apply to the provider, the need for the provider to have particular regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context or environment, including in premises and situations where educational services, events and debates take place;
 - the need for the provider to apply a rebuttable presumption to the effect that students being exposed to any of the following is unlikely to amount to harassment: A. the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures; B. statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course.
- **Harassment** has the meaning given in section 26 of the Equality Act 2010 and section 1 of the Protection from Harassment Act 1997 (in its entirety, and as interpreted by section 7 of the Act).

“Harassment” is 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 as defined by the Equality Act 2010. This includes harassment by association or perception.
- **Incidents** includes, but is not limited to, circumstances where:

- allegations or complaints are made to the provider about harassment and/or sexual misconduct; and
- the provider could reasonably be considered to have grounds for suspecting that harassment and/or sexual misconduct has taken place or is taking place.
- **Intimate personal relationship** means a relationship that involves one or more of the following elements:
 - physical intimacy including isolated or repeated sexual activity; or
 - romantic or emotional intimacy.
- **Sexual misconduct** means any unwanted or attempted unwanted conduct of a sexual nature and 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).
- **Staff** includes but is not limited to employees and contractors whereas “**relevant staff member**” means a member of staff who has direct academic responsibilities, or other direct professional responsibilities, in relation to a student.
- **Students** includes, but is not limited to, persons who are registered on a higher education course and, at any point in time within the overall duration of that higher education course, are employed by, or otherwise providing services to, a higher education provider.

2. Definitions of other key terms relevant in relation to harassment and sexual misconduct (but not provided by the OfS) are as follows.

- **Consent** is the agreement to participate in a sexual act where the individual has both the freedom and capacity to make that decision.
- Freedom to consent: Consent is not present when an individual unwillingly submits in response to the exploitation of power, or coercion or force or lacks the capacity to consent regardless of whether or not there is verbal or physical resistance.
- Capacity to consent: Incapacitation may occur when an individual is asleep, unconscious, or in any other state of unawareness that a sexual act may be occurring. Incapacitation may also occur on account of an impairment of or a disturbance in the functioning of, the mind or brain (whether permanent or temporary), or as the result of alcohol or substance use. Consent cannot be

assumed on the basis of a previous sexual experience or previously given consent, and can be withdrawn at any time.

- **Victimisation** involves treating someone less favourably than other people because that individual has:
 - made a claim of harassment or bullying;
 - suggested or complained that, in some other way, they have, or may have been, discriminated against, bullied or harassed or that the Institute's Equality, Diversity and Inclusion Policy or any other relevant policy has, or may have, been breached in some way;
 - helped some other person who is making such a claim, perhaps by providing evidence or some other form of support to that other person.

At Bloomsbury Institute, we will not tolerate any form of victimisation against someone who has raised a complaint, or supported a genuine complaint, or cooperated in an investigation, or challenged unacceptable behaviour, or in each case is believed to have or is believed to be likely to take such steps. If a formal complaint of victimisation is made about a student or staff member's behaviour it will be fully investigated and dealt with in accordance with the relevant student or staff disciplinary procedure.

Appendix B: Unacceptable Behaviour

Harassment and sexual misconduct can sometimes be hard to recognise as what one person might consider acceptable behaviour might be deemed as completely unacceptable by another. The following are clear examples of unacceptable behaviour:

- Any conduct which constitutes a criminal offence
- Spreading malicious rumours, or insulting someone by word or behaviour
- Ridiculing or demeaning someone – picking on them or setting them up to fail
- Copying comments that are critical about someone to others who do not need to know
- Exclusion or victimisation
- Unfair treatment
- Bullying
- Any form of harassment
 - Sexual harassment such as whistling, catcalling, sexual comments, sexual innuendo, sexual gestures, telling sexual jokes and stories, spreading rumour about a person's sex life;
 - Racial harassment such as making racist jokes, derogatory name calling, references to skin colour and ridiculing cultural differences, making assumptions about someone based on their race or religion or racialised micro-aggressions.
 - Disability harassment such as drawing attention to disability or personal appearance, jokes and ignoring someone with a disability;
 - Ageist harassment such as disparaging someone's competencies, and patronising, ridiculing or marginalising someone;
 - Sexual orientation harassment such as making homophobic jokes or comments;
 - Religion or belief harassment such as ridiculing religious requirements (including those relating to dress and personal appearance) and offensive jokes or comments;
 - Gender reassignment harassment such as ridiculing dress and personal appearance;
- Any form of discrimination;
- Overbearing supervision or other misuse of power or position;
- Making offensive jokes or derogatory or stereotypical remarks, or mocking, mimicking or belittling a person's protected characteristic;
- Intimidation e.g. threats of violence, misuse of power or position;
- Display/sharing of offensive materials e.g. pictures, photos or drawings of a sexual nature;
- Sexual misconduct:
 - Pressuring or forcing someone to do something sexual;

- Asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected.
- Unwelcome sexual advances – standing too close, touching and various forms of sexual assault;
- Unwanted sexting – sending sexually explicit texts and images to someone without their consent;
- Unwanted sexual attention – for example ‘wolf-whistling’ and making sexualised comments about someone’s body;
- Engaging in sexual acts with someone who is too drunk, or too intoxicated, to give consent;
- Engaging in a sexual act with someone who is asleep or unconscious;
- Sexual intercourse or engaging in a sexual act without their consent;
- Kissing without consent;
- Inappropriately showing sexual organs to another person;
- Repeatedly following another person without good reason (stalking);
- Making unwanted remarks of a sexual nature.
- Revenge porn.
- Indecent exposure.
- “Grooming” behaviour, for example befriending someone in order to be able to manipulate them to do things with which they are not comfortable or which are in breach of our policies and procedures

The above list is not exhaustive.