



**Greenhead College
Corporation**

**Prevention of Sexual
Harassment Policy
(Staff and Students)**

1. Overall Aim

1.1 The College is committed to providing a positive work and study experience for all our employees and students, which includes a zero tolerance approach to sexual harassment.

1.2 This Policy sets out the College's expectations of behaviour by our employees and students and provides approaches for dealing with complaints of sexual harassment. It intends to protect students and employees from inappropriate sexual behaviour, which may include, but is not limited to, violence, grooming, misconduct and harassment.

2. Definitions and Scope

2.1 Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, or with a sexual element. It is especially serious if continued after it has been made clear that the behaviour is unwanted.

2.2 Sexual harassment is unlawful under the Equality Act 2010. It is also unlawful to treat someone less favourably because they either have submitted a complaint of sexual harassment or have rejected such behaviour. Under the Act, sexual harassment is defined as occurring when a person engages in unwanted conduct of a sexual nature that has the purpose or effect of:

- violating someone's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

2.3 Sexual harassment includes a wide range of behaviours including but not limited to:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life, and discussing your own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing
- criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications
- predatory behaviour
- coercion

2.4 Sexual harassment may be of individuals or groups, by individuals or groups or by incitement of others.

2.5 Sexual interaction that is invited, mutual and consensual is not sexual harassment because it is not unwanted.

2.6 An individual can experience sexual harassment from someone of the same or different sex and the recipient of the behaviour decides whether or not it is unwanted.

2.7 Sexual harassment can be a one-off event and does not need to be directed at a person. It can be witnessed or overheard.

2.8 Sexual conduct that has been welcomed in the past can become unwanted.

2.9 Victimisation of any individual making a complaint under this Policy will not be tolerated and for staff will be dealt with under the College's Staff Disciplinary and/or Grievance policy and for students, the Student Complaints Policy and/or Student Re-engagement Policy.

2.10 Sexual harassment constitutes serious misconduct and could result in dismissal (for employees) or expulsion (for students).

3. Expected Behaviour of Employees

3.1 The College believes that the professional relationship of trust and confidence that exists between students and employees is a central and essential part of a student's educational development and pastoral care. Those who work for, or represent the College, must not abuse their position in any way.

3.2 The Sexual Offences Act 2003 (Sections 16 to 21) prohibits sexual contact between a person and another person aged under 18, where such a relationship would be an abuse of a position of trust between the parties. This includes situations where the young person is attending an educational institution. The College prohibits intimate relationships between its employees and its student.

3.2 An imbalance of power can also exist between employees due to the positions they hold within the College. Any abuse of the professional working relationship between employees is unacceptable and could be subject to disciplinary action.

3.3 The College recognises that, on occasion, a consensual relationship may develop between two employees. In such cases, both employees must notify the Director of Human Resources.

4. Reporting Channels

4.1 Any member of the College is encouraged to formally report cases of sexual harassment, whether they are the recipient of the behaviour or are witness to it, as soon as reasonably practicable.

4.2 Employees should make a complaint to the Director of Human Resources or the Human Resources Officer who can advise on how to proceed. Complaints will normally be progressed through the College's Staff Grievance and/or Disciplinary Procedure. The Assistant Principals – Student Support and Welfare, will be notified by the HR Team if the complaint is against a student and will progress the complaint through the Complaints Policy and/or Student Re-engagement Policy.

4.3 If an employee becomes aware of sexual harassment between a colleague and a student or another employee, advice should be sought from the Director of Human Resources or the Human Resources Officer.

4.4 Sexual harassment can also give rise to situations where there is coercive or predatory behaviour. If intimate relationships arise between colleagues and any person has concerns about any predatory or coercive element to such relationship, they are encouraged to report or disclose this to the Director of Human Resources or the Human Resources Officer. Alternatively, they may speak to their Line Manager, who should in turn, report this to Human Resources.

4.5 Any student complaint relating to sexual harassment, including witnessing such behaviour, should be made to the Assistant Principals – Student Support and Welfare. Human Resources will be involved if the complaint is against an employee. Alternatively, students may choose to speak to, and seek emotional support from, their Personal Tutor, Counsellor, Teacher, Parent, or any other person of trust.

4.6 If any person becomes aware of sexual harassment, which involves a member of Human Resources or the Assistant Principals – Student Support and Welfare, this should be reported to the Principal.

4.7 If any person becomes aware of sexual harassment which involves the Principal, this should be reported to the Chair of Governors.

4.8 Sexual assault and rape are serious criminal offences. You can choose to report them to the Police, who have the authority and resources to investigate. You can report a rape at any time, including many years after the event. If you report a matter to the Police, you can still report the matter to the College so that the appropriate support and measures can be put in place.

5. Investigations into Complaints or Allegations

5.1 Any investigations into allegations of sexual harassment by employees will be conducted under the College's Grievance and/or Disciplinary Policy. Investigations into allegations of sexual misconduct by students will be conducted under the Complaints Policy and/or Student Re-engagement Policy.

5.2 Sexual harassment may also lead to a criminal investigation being instigated into the actions of an employee or student. Where there are concerns that a criminal act has taken place, the College will seek advice from the Police.

5.3 Confidentiality will be maintained, excluding any requirement to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the person making the report, or to others.

6. Awareness and Training

6.1 All staff at the College will receive specialist training in sexual violence and harassment.

6.2 Awareness of sexual harassment is discussed with all students at the College as part of the tutorial programme. A range of resources on sexual harassment are also available on the [Moodle wellbeing page](#)

7. Support and Advice

7.1 There are many sources of support available to employees prior to making a complaint or to both complainant and alleged perpetrator once a complaint has been made.

These include:

- Union representatives (for union members)
- Human Resources
- Line Managers
- Employee Assistance Service

7.2 There are many sources of support available to students prior to making a complaint or to both complainant and alleged perpetrator once a complaint has been made.

These include:

- Personal Tutors
- Safeguarding Officers
- Assistant Principal – Student Support and Welfare
- College Counsellors
- The College Principal and Deputy Principal

8. Relevant College Policies

This policy should be read in conjunction with the College’s Bullying and Harassment Policy.

Other relevant policies:

- Student Complaints Policy
- Student Re-engagement Policy
- Staff Disciplinary Policy
- Staff Grievance Policy
- Whistleblowing Policy
- Diversity and Inclusion Policy

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