

POLICY / PROCEDURE TITLE		DATE OF APPROVAL
Higher Education Harassment and Sexual Misconduct Policy		July 2025
APPROVED BY	VERSION NO.	VALID UNTIL
HE Quality and Standards	1	July 2027

OWNER	Assistant Director HE Quality and Standards		
GROUP EXECUTIVE LEAD	Principal Newcastle College		
DOCUMENT TYPE	Policy <input checked="" type="checkbox"/> Group Procedure <input checked="" type="checkbox"/> Local Procedure <input type="checkbox"/>		
PURPOSE	This policy and procedure sets out how NCG will respond to claims of sexual harassment and misconduct supported by NCG Safeguarding Policy, NCG Safeguarding Process and NCG Code of Conduct. This policy outlines the actions NCG has taken to raise awareness of forms of sexual harassment and misconduct and how to report allegations or incidents.		
APPLICABLE TO	This policy applies to all staff teaching and/or assessing NCG programmes/awards, to staff with curriculum management responsibilities, and all students admitted to and undertaking higher education programmes/awards at NCG.		
EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	(If EA not applicable, please explain)		
KEY THINGS TO KNOW ABOUT THIS POLICY	<ol style="list-style-type: none"> 1. This policy applies to all NCG higher education staff and students enrolled onto higher education programmes. 2. This policy refers to the NCG Safeguarding Policy, NCG Code of Conduct and the NCG Safeguarding Policy. 		
EXPECTED OUTCOME	Readers are expected to understand the organisational position on dealing with allegations of sexual harassment and misconduct, know their responsibilities in relation to the policy and comply with the terms of the policy.		

MISCELLANEOUS

LINKED DOCUMENTS

- NCG Code of Conduct
- NCG Safeguarding Policy
- NCG Safeguarding Process
- NCG Whistleblowing and Disclosure Policy

KEYWORDS

- Sexual Harassment
- Sexual Misconduct
- Safeguarding

Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT			
	Yes	No	Explanatory Note if required
EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The answer to this must be YES
EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Disability / Difficulty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA4 - Does the policy/process discriminate or victimise any groups or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The answer to this could be yes or no as positive action is lawful. However, an explanation must be provided for clarity.
EIA 6 - How do you know that the above is correct?	As part of the development of this policy, consultation has taken place with wider members of NCG through various committee meetings, including Quality and Standards and Academic Board. Consultation has also taken place with Safeguarding teams and Central Support Teams.		

1. GENERAL POLICY AND PROCEDURE STATEMENT

- 1.1 NCG is committed to maintaining a safe and secure environment for all students and staff.
- 1.2 This policy sets out the formal procedures and responsibilities designed to ensure that, in circumstances where individuals may feel unsafe, appropriate and effective measures are implemented to uphold the safety and wellbeing of the community of the institution.
- 1.3 Under the terms of this policy, NCG shall take multiple, credible, and significant steps to prevent and address harassment and sexual misconduct, including:
 - Implementing appropriate reporting mechanisms
 - Ensuring transparency and accountability
 - Providing accessible support and training
 - Evaluating effectiveness through data and feedback
 - Committing to the non-use of NDAs or similar mechanisms to prevent students from disclosing information about incidents of harassment or sexual misconduct
- 1.4 This policy applies to all students enrolled at any NCG college, including through partnership provision, as well as to all staff who may be involved in identifying, reporting, or managing concerns related to student safety and incidents or allegations of sexual harassment or sexual misconduct. It covers all activities that take place on college premises, during off-site educational activities, and in any context where the college has a duty of care.
- 1.5 The policy applies regardless of mode of study, age, or level of programme, and should be read in conjunction with relevant safeguarding, disciplinary, and support policies.
- 1.6 This policy sets out NCG's formal approach to preventing and responding to incidents of harassment and sexual misconduct.
- 1.7 Where NCG is the awarding body but not the teaching provider (i.e partnership provision), it retains responsibility for compliance under this policy however reporting and investigating processes will follow partnership specific safeguarding policies and associated procedures.

2. Definitions

- 2.1 Harassment - Harassment encompasses unwanted behaviour or conduct that either intends to or results in violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.
 - 2.1.1 This definition aligns with Section 26 of the Equality Act 2010 and Section 1 of the Protection from Harassment Act 1997. It extends beyond the protected characteristics specified in the Equality Act, covering any student experiencing such conduct.
- 2.2 Sexual Misconduct - Defined as any unwanted or attempted unwanted conduct of a sexual nature, this includes, but is not limited to:
 - Sexual harassment: Unwanted behaviour of a sexual nature that violates someone's dignity or creates an intimidating environment, whether this takes place in person or via digital and/or communication channels
 - Sexual assault: Any non-consensual sexual act
 - Rape: Non-consensual penetration
- 2.3 Incident - Any situation where harassment or sexual misconduct is alleged, suspected, or reported even if there is no formal complaint.

2.4 Power Imbalance - when one party or individual holds significantly more power, influence, or control than another in a given situation. This disparity can manifest in various contexts, such as relationships, workplaces, politics, or social structures.

2.5 Abuse of power – a situation where a staff member exploits a position of power in relation to a student so as to apply pressure in a way which:

2.5.1 May result in the student doing something, or refraining from doing something, that they may not have done otherwise.

3. Student and Staff Relationships

3.1 NCG prohibits intimate personal relationships between staff and students where there is a direct academic or professional responsibility.

3.2 In instances where such relationships exist, disclosure is mandatory, and appropriate steps must be taken to manage actual or perceived conflicts of interest.

3.3 Where an intimate personal relationship pre-dates the employment of the staff member or the enrolment of the student, such relationships may be exempt from the above prohibition. However, full disclosure of the relationship remains mandatory and appropriate measures will be implemented to manage any actual or perceived conflict of interest. Failure to disclose such relationships could result in consequences as outlined in the [NCG Code of Conduct](#).

4. How to make an allegation

4.1 Students wishing to raise an allegation of harassment and/or misconduct can do this through one of multiple ways.

- Disclosing this to a tutor or a member of the programme team.
- Disclosing this to a member of the pastoral, wellbeing, safeguarding or student experience team
- Reporting this anonymously (details can be found in section 5.4 of this policy).

5. Reporting (NCG Colleges)

5.1 All staff must be vigilant in recognising signs of harassment and sexual misconduct in students and students at risk. If a concern arises, staff should respond promptly and appropriately, ensuring the immediate safety of the individual following the process outlined in section 5.2 of this policy.

5.2 Where allegations have been disclosed by a student, the following process should be followed.

5.2.1 Assess whether anyone is at immediate risk or in danger. If a student is in immediate danger or at risk of serious harm, for example, in a life-threatening situation: Call a first aider and / or ambulance if an individual requires medical attention without delay.

5.2.2 Call the emergency services / police if a crime is taking place or has taken place without delay.

5.2.3 Separate the alleged perpetrator and victim (if both are on campus) but only if safe to do so.

5.2.4 Communicate the information to the Designated Safeguarding Lead (DSL) immediately via MyConcern, the college system for reporting and managing safeguarding reports.

- 5.2.5 Lower-level concerns should be reported to Designated Safeguarding Staff immediately via MyConcern but must be reported within two hours.
- 5.2.6 The person to whom an allegation or concern is reported must gather relevant information but must not investigate the matter.
- 5.3 Where incidents are suspected, but not disclosed by a student the following process should be followed.
 - 5.3.1 In this case the staff member must also report the concern using MyConcern immediately.
 - 5.3.2 The member of staff may wish to discuss the concern with the DSL first who can provide advice and guidance however DSLs will ask staff to report the concern regardless so a record can be maintained. This is particularly important so that a pattern of concerns can be logged, even if only suspected. Email addresses for the DSL at individual colleges can be found in sections 6 and 9 of this policy.
 - 5.3.3 Following discussions with the DSL appropriate action will be taken. This may include making a referral to the local Adult Social Care Services and / or Police if the DSL considers that the information given indicates that the student or another person, including minors, may be at risk of significant harm. It may also be the case that a suspicion forms part of a wider pattern, known to external agencies or police.
 - 5.3.4 Further information can be found via the [NCG Safeguarding Policy](#) and [NCG Safeguarding Procedure](#).
- 5.4 Anonymous reporting
 - 5.4.1 If an individual wishes to make an allegation anonymously, this can be done by post to the following address:

NCG
Rye Hill House
Scotswood Road
NE4 7SA

- 5.4.2 Students should clearly reference that they are making an allegation as per the Higher Education Harassment and Sexual Misconduct Policy.
- 5.4.3 Anonymous reports will be referred to the relevant DSL for initial assessment.
- 5.4.4 The DSL will assess the allegation to determine whether to take further actions as outlined in sections 3.2 and 3.3 of this policy.
- 5.4.5 If students report allegations anonymously, they may not receive updates or direct support from the institution. Support can still be accessed through the services listed in sections 4.3, 4.4, and in the NCG Student Training materials (section 7.1).

6. NCG Colleges Safeguarding Contacts

Carlisle College - safeguarding@carlisle.ac.uk
Kidderminster College - stayingssafe@kidderminster.ac.uk Newcastle
College - NCLSafeguarding@ncl-coll.ac.uk

7. Investigation of allegations (NCG Colleges)

- 7.1 Investigations shall be carried out in a credible, fair, and impartial manner, guided by the principles of natural justice. These investigations are separate from legal proceedings and do not follow the criminal standard of proof.
- 7.2 Comprehensive information regarding internal investigation processes, external enquiries, confidentiality, and information sharing is available within the [NCG Safeguarding Policy](#).

8. Reporting and Investigation process for students who are studying at a Partnership Provision

- 8.1 Allegations of harassment and/or sexual misconduct made by NCG students studying at a Partnership provision will be investigated following the existing safeguarding policies and processes in place at the specific partnership provider.
- 8.2 Partnership provision Safeguarding Contacts can be found in section 9 of this policy.

9. Partnership Safeguarding Contacts

Organisational Learning Centre (OLC) – see@olceurope.com.
Elizabeth School of London (ESL) - mywellbeing@esl.ac.uk

10. Support for both complainants and respondents

- 10.1 NCG is committed to providing appropriate support to any student or staff member involved in, or witness to, an incident addressed under this policy.
- 10.2 Support will be made available to individuals who have reported sexual harassment or misconduct, acted as witnesses or bystanders, or are the subject of an allegation, regardless of the nature or outcome of the case.
- 10.3 Students may access pastoral support through their respective college's pastoral team, while academic support is available via the college academic support team. Where appropriate, further academic adjustments, including assessment extensions, may be considered in line with the [NCG Mitigation Policy](#).
- 10.4 While NCG encourages individuals to access internal support services, it is acknowledged that some may prefer to seek confidential assistance externally. The following national organisations provide specialist support for those affected by sexual harassment, sexual violence, or misconduct:

- Rape Crisis England & Wales – Support for anyone affected by rape, sexual assault, sexual abuse, or any form of sexual violence. Website: www.rapecrisis.org.uk | 24/7 Helpline: 0808 500 2222
- Safeline – A specialist charity offering support for individuals affected by sexual abuse and rape, including a national male survivor helpline. Website: www.safeline.org.uk
Male Helpline: 0808 800 5005 | General Helpline: 0808 800 5007
- The Survivors Trust – Provides support and information for survivors of rape, sexual violence, and childhood sexual abuse. Website: www.thesurvivorstrust.org | Helpline: 0808 801 0818
- Galop – Support for LGBTQ+ people who have experienced sexual violence, hate crime, or domestic abuse. Website: www.galop.org.uk | Phone: 0800 999 5428

- Women's Aid – National charity working to end domestic abuse against women and children, including support for sexual abuse. Website: www.womensaid.org.uk

10.5 These services operate independently of NCG and are available to all members of the college community, whether they have chosen to engage with the reporting procedures identified in this policy or internal college specific support services.

11. Staff and student training

11.1 All NCG Higher Education staff involved in teaching or with responsibilities related to programme or curriculum management (or equivalent roles) are required to complete annual training on sexual harassment and sexual misconduct.

11.2 Training is not optional, it is a critical component of professional responsibilities and an essential part of maintaining a safe, respectful, and supportive learning environment for all.

11.3 Training will be delivered by the relevant teams during the first semester of each academic year, and completion is mandatory for all eligible staff.

11.4 For those unable to attend a live session or who join NCG later in the year, a recorded version will be made available via the HE Staff Handbook.

11.5 This training is a core requirement of NCG's HE training framework and is essential for those seeking staff approval. Failure to complete this training may impact your eligibility for approval and continued engagement in HE responsibilities.

11.6 All NCG higher education students will undertake training designed to raise awareness of unacceptable behaviours, promote a culture of respect and consent, and provide education on bystander intervention and informed consent, once during each academic year.

11.7 Training will provide signposting to students to relevant policies and procedures and will be made available via the NCG Student Handbook.

• **STATEMENT ON IMPLEMENTATION [REQUIRED, DO NOT DELETE]**

Upon approval, this policy will be uploaded to the policy portal and communicated to staff via The Business Round-Up and will be in the NCG HE Student Handbook. This will also be an additional training requirement for HE staff seeking approval via the HE Staff Approval process.

• **STATEMENT ON EQUALITY AND DIVERSITY**

NCG is committed to providing equality of opportunity. Further details of our aims and objectives are outlined in our [Equality Diversity Inclusion and Belonging Strategy](#).

This policy has been assessed to identify any potential for adverse or positive impact on specific groups of people protected by the Equality Act 2010 and does not discriminate either directly or indirectly. In applying this policy, we have

considered eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between people from diverse groups.

- **STATEMENT ON FREEDOM OF SPEECH**

NCG is committed to upholding the principles of freedom of speech as enshrined in UK law. This policy is designed to ensure that all members of our college community, including students, staff, and visitors, can express their views and ideas freely and without fear of censorship or reprisal, provided that such expressions are within the law.

We affirm that this policy does not, in any way, diminish or undermine the rights of individuals under existing Freedom of Speech legislation.

- **STATEMENT ON CONSULTATION [REQUIRED, DO NOT DELETE]**

This policy / procedure has been reviewed in consultation with HE Quality and Standards committee including staff and student representatives, HE Partnership Board and HE Academic Board.

VERSION CONTROL				
Version No.	Documentation Section/Page No.	Description of Change and Rationale	Author/Reviewer	Date Revised
1	New Policy		Hayley Bowes	April 2025