

<Creative Academy>

<Harassment, Sexual Misconduct & Unacceptable Behaviour>

Overview

Higher Education (HE) institutions are implementing stricter, mandatory policies under [Office for Students](#) (OfS) Condition E6 to combat harassment and sexual misconduct, which affect a significant number of students. These policies require clear, accessible procedures for reporting incidents (including online), banning staff-student relationships, and prohibiting the use of non-disclosure agreements (NDAs) to silence victims.

Key Aspects of Harassment & Sexual Misconduct in HE

- **Definition & Scope:** Harassment includes unwanted conduct related to protected characteristics (e.g., race, gender, disability) under the [Equality Act 2010](#), violating dignity or creating a hostile environment. Sexual misconduct spans a range of behaviours from sexual harassment (unwanted sexual comments, jokes, or gestures) to non-consensual sexual contact, assault, and rape.
- **Prevalence:** Research indicates 20% of students have experienced unwanted sexual behaviour. Studies show that between 2018-2020, students in England and Wales were over three times more likely than average to have experienced sexual assault.
- **Common Behaviors:** Ranging from inappropriate touching, following, catcalling, and stalking to sharing intimate images without consent.
- **Impacted Groups:** While all can be affected, female, LGBTQ+, and disabled students are disproportionately affected

Regulatory and Policy Requirements (OfS Condition E6)

- **Comprehensive Information:** Providers must maintain a single, accessible source of information on policies, procedures, and support services.
- **Staff Training:** Mandatory, consistent training for staff on handling disclosures is required, with 70% of institutions already reporting such training.
- **Staff-Student Relationships:** Regulations now require policies that prohibit or strictly manage intimate personal relationships between staff and students to prevent conflicts of interest and abuse of power.
- **Prohibition of NDAs:** The use of NDAs to prevent students from reporting allegations or discussing outcomes is restricted.

Reporting and Support

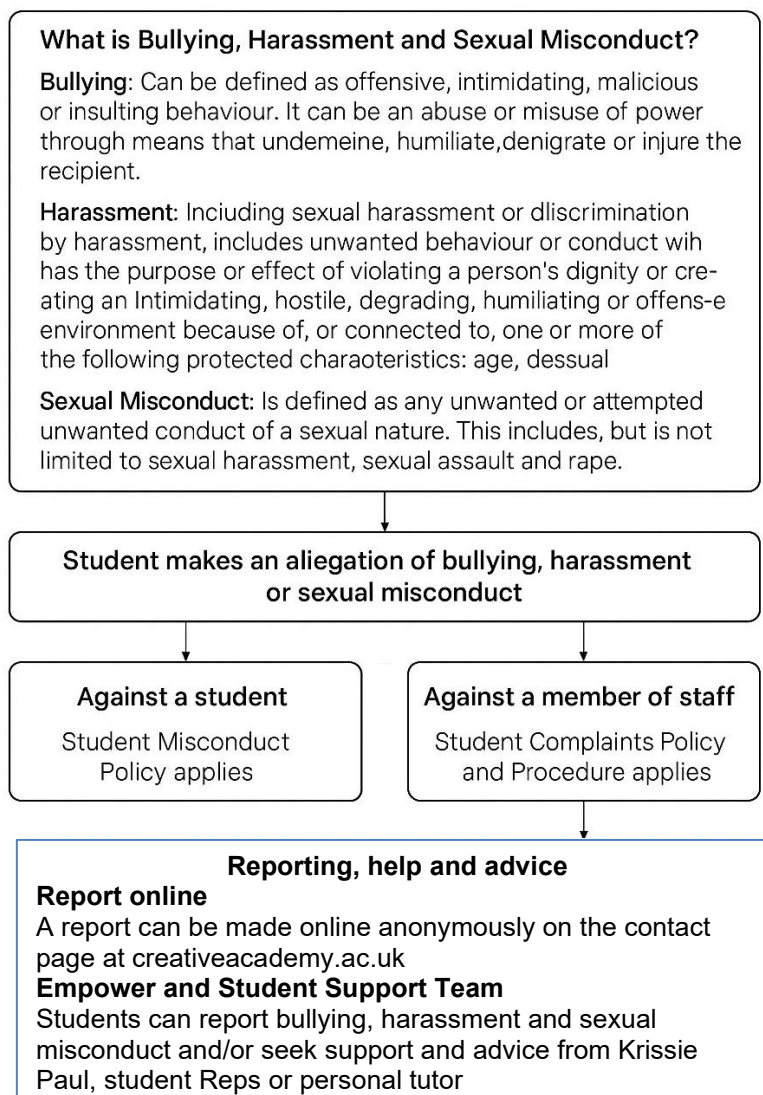
- **Institutional Policies:** Universities often use "Report + Support" tools to enable both anonymous and named reporting.
- **Support Services:** Institutions are required to provide specialist, one-to-one support to help students navigate their options

Creative Academy Harassment, Bullying, and Sexual Misconduct Policy

This visual guide also aligns with the:

- UWL Student Misconduct Policy
- Student Complaints Policy and Procedure
- Safeguarding Statement
- SBC Equality, Diversity and Inclusion Policy
- Social media policy

What is Bullying, Harassment and Sexual Misconduct



This flowchart outlines the steps Creative Academy students should follow to report and respond to incidents of harassment, bullying, or sexual misconduct. It supports and cross-references the following policy sections:

- Definitions of Harassment, Sexual Misconduct, and Unacceptable Behaviours

- Creative Academy pathway to report incidents/concerns
- Creative Academy disciplinary procedures

Context

The Creative Academy harassment, sexual misconduct, and unacceptable behaviour statement has been developed to protect and safeguard staff and students and to meet the expectations set out by the Office of Students (OfS). This document is a compilation of the expectations of Slough Borough Council, the University of West London, and the Office for Students.

The OfS expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education have been revised. As a subcontract partner, we will need to have the following in place as a minimum:

- The Creative Academy will provide the following explicit statement: sexual misconduct and harassment will not be tolerated.
- The Creative Academy will provide the following clear statements on behaviour for students.
- Disciplinary procedures for students and staff that enable allegations to be dealt with appropriately.
- The Creative Academy offers clear pathways for reporting sexual misconduct and harassment that are easily understood by both staff and students.
- The Creative Academy will have one person trained to deal with cases and to whom reports may be made.
- The Creative Academy will outline expectations at enrolment.

The Creative Academy and the University of West London are committed to providing an environment where all students are welcomed and treated with respect. Students should also feel safe both on the Academy's campus and when using its online platforms.

Creative Academy is committed to ensuring that any relationship between staff and students are professional and have boundaries. In line with this approach and in the interest of both staff and students, Creative Academy prohibits intimate personal relationships between a member of staff and a student due to the power imbalance which make personal relationships potentially vulnerable to exploitation. This power imbalance can also generate real or perceived inequalities, not only involving the people concerned, but also affecting other members of the Creative Academy, whether students or staff.

Harassment

The Creative Academy advocates the OfS definitions for harassment.

Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct 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:

1. Age
2. Disability
3. gender reassignment

4. race
5. religion or belief
6. sex
7. sexual orientation

Under our definition, we understand harassment to include domestic violence and abuse (which can also involve control, coercion and threats) and stalking.

We would also consider harassment to include any incidents of physical violence towards another person(s) on the basis of a protected characteristic and hate crimes, such as those criminal offences, which are perceived by the victim or any other person to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.

Sexual Misconduct

The Creative Academy advocates the OfS definitions for sexual misconduct.

Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:

1. Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)
2. Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
3. Assault (as defined by the Sexual Offences Act 2003)
4. Rape (as defined by the Sexual Offences Act 2003)
5. Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
6. Intimidation, or promising resources or benefits in return for sexual favors (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
7. 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).

The Creative Academy adopted definitions include harassment and sexual misconduct through any medium, including, for example, on Creative Academy premises, in students' accommodation and online.

Unacceptable Behaviour

The Creative Academy advocates the University of West London's guidance on unacceptable behaviour.

This guidance is designed to help students determine what to do if they believe they have been affected by unacceptable behaviour from staff or another student. Any student in this position should contact the school principal (George Kirkham) for advice if they wish to access support. If the school principal is not available, then you can speak to the following staff; Jagdev Khatkar, Sunita Bolton, Pippa Holliday, Toby Miller, Krissie Paul or Cassia Rudge, who can escalate as necessary.

What constitutes unacceptable behaviour?

Unacceptable behaviour may involve actions, words or physical gestures that could reasonably be perceived to be the cause of another person's distress or discomfort. This behaviour does not necessarily have to be face-to-face, and may take many forms such as written, telephone, text or email communications, or social media posts. Some examples are included below, but this list is by no means exhaustive:

1. Violent, aggressive, or abusive behaviour, such as shouting personal insults
2. Abuse of a sexual or racist nature, or other harassment
3. Spreading malicious rumours or gossip
4. Unwanted physical contact, including groping
5. Threats of or actual physical violence
6. Offensive or indecent comments or body language
7. Displaying offensive material or graffiti relating to an individual
8. Making threats or promises in return for sexual favours
9. Innuendo or spreading gossip based on sexual orientation or gender identity
10. Inappropriate initiation or 'hazing' ceremonies for sports teams or other societies
11. Using social or other online media to communicate negative, abusive, and harmful statements against students or staff
12. Creating a hostile environment through comments about race, disability, sex, sexual orientation or gender identity.
13. Victimization, treating someone badly because they have made a complaint about discrimination

If you begin to feel at any time as if you are being singled out, ganged up on, threatened, or if you are feeling uncomfortable or upset about the way someone is treating you, it is really important to speak to someone. You should be aware that you are also legally protected against discriminatory language, behaviour or action related to any of the 'protected characteristics' as set out in the Equality Act 2010. These characteristics are defined by law as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race and ethnicity, religion or belief (including lack of belief), sex and sexual orientation.

Creative Academy Statement on Harassment

The Creative Academy will now provide a clear statement that harassment will not be tolerated.

Bullying, harassment, and victimisation in the Creative Academy can have a long-term effect on staff wellbeing and morale, which can adversely affect departments and the College as a whole. Managers and colleagues should be vigilant for signs that colleagues might be subjected to inappropriate behaviour.

Harassment is unwelcome behaviour which violates an individual's dignity and/or creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may be physical, written, verbal, non-verbal, online or via social media. It can be intentional or unintentional.

Bullying is offensive, intimidating, malicious, or insulting behaviour, which may include an abuse or misuse of power through means that threaten, undermine, humiliate, denigrate, take advantage of, or injure the recipient. Causing offence may be a deliberate act or it may not. It is the impact on the individual that is the key consideration. Unlike bullying, harassment is legally defined in the UK and is included as a form of discrimination in the Equality Act (2010).

The Creative Academy has zero tolerance to any form of harassment.

Creative Academy Statement on Sexual Misconduct

The Creative Academy will provide a clear statement below that sexual misconduct will not be tolerated.

Sexual misconduct includes any act of violence or harassment that is sexual in nature, as well as any unwanted, non-consensual sexual touching or harassment, whether inside or outside a relationship. This encompasses rape, sexual assault, sexual exploitation, or groping. It also covers behaviours such as grooming, coercion, and the promise of rewards for sexual access, along with sexual demands or threats. Such actions often occur where there is an imbalance of power in a relationship and violate the principle that all parties involved have given willing consent.

The Creative Academy is committed to ensuring a working and learning environment free from sexual harassment, sexual misconduct and sexual violence so all members of the Creative Academy can enjoy the right to study, live, work and be respected for the contribution they make. The Creative Academy will listen to and take seriously all disclosures of sexual harassment and sexual misconduct.

Examples of sexual misconduct include:

1. sexually explicit remarks, innuendos or banter
2. sexual insults, jokes, teasing or songs
3. wolf whistling, cat calling or making other offensive sexual noises
4. offensive comments about someone's dress, appearance or private life, including their sexuality or gender identity
5. unwanted or inappropriate physical contact, including touching, pinching, groping or smacking
6. unwanted requests to engage in or discuss sexual activity
7. lifting or removing clothing without consent
8. Display or distribution of sexually explicit material

9. stalking

The Creative Academy has zero tolerance to any form of sexual misconduct.

Creative Academy statement on Unacceptable Behaviour

The Creative Academy will then provide a clear statement that unacceptable behaviour will not be tolerated.

Being a victim of unacceptable behaviour at your place of study or work - including violence (physical), bullying, and incivility (non-physical) – can have serious consequences for students and staff, as well as for the Creative Academy as an organisation. The effects of such behaviour include low morale among staff and students, along with reduced achievement and productivity.

Some behaviour is easily identifiable, such as aggression, verbal abuse, shouting, personal insults, and unwanted physical contact. If you witness or hear anything like this, you must report it immediately. Other unacceptable behaviours, such as indirect discrimination, stalking, inappropriate written communication, online abuse, and spreading malicious rumours, may not be as obvious but are still reportable and will be challenged.

Creative Academy has zero tolerance for any form of unacceptable behaviour.

Creative Academy disciplinary procedures

Disciplinary procedures for students and staff that enable allegations to be dealt with appropriately.

Formal Procedure: Staff should refer to the Slough Borough Council Code of Practice. If an allegation of bullying or harassment is made by a student about a member of staff, the Executive Director of Education, Slough Borough Council.

Informal Action

If a student feels that they are being harassed or bullied, they should, if possible, keep a record detailing the event/s. No student should feel ashamed about being bullied, as it is not their fault. As soon as possible after the incident, the student should seek help to try to resolve the issue informally in the first instance. This can be done by contacting the Student Services Wellbeing Team, the course leader or the Students' Reps or personal tutor.

An incident may be so serious, or there may be sufficient evidence to proceed straight away with formal action.

Once the student contacts a member of staff or the Students' Rep, they should work with the student to seek to resolve the issue informally, which can include the following (depending on circumstances):

- Supporting the student to tell the bully to stop
- Helping the student to prepare a written log of the event/s (if they have not already done so), Requesting support for the student from the Student Wellbeing Team (if they have not already been involved)
- The student working with the course area(s) attempts an informal resolution by arranging a discussion with both students.
- Arranging Counselling with the Listening Service and/or Course Team and Student Reps

- Taking no further action at this stage but keeping the situation under review.

Formal Action

- If the bullying and harassment persist and the student wishes to make a formal complaint, they should contact the Creative Academy Principal or the complainant's Personal Tutor. The issue can then be escalated to Slough Borough Council or the University of West London if they have been made aware of the initial concern or by the complainant.
- The investigating officer will record a written account of the incident(s) of alleged bullying and harassment, and if the complaint is against another student in the Creative Academy, they will initiate a formal investigation into the allegations.
- If the complaint is against a member of staff, the matter will be referred to the Slough Borough Council Code of Conduct to investigate
- If the complaint is against any other person who is not an enrolled student or staff member, an investigating officer will be appointed to undertake the process.

Creative Academy pathway to report incidents/concerns

The Creative Academy provides clear pathways to report sexual misconduct and harassment and unacceptable behaviour that are easily understood by staff and students.

Any student or staff member can report any issues to the Creative Academy by contacting named individuals who are directly employed by Slough Borough Council.

George Kirkham (Creative Academy Principal)
Jagdev Khatkar (Quality Assurance & Business Manager)

Sunita Bolton (Senior Lecturer in Dance)
Pippa Holliday (Senior Lecturer in Musical Theatre)
Cassia Rudge (Arts and Academic Officer)

In the unlikely event that no staff are available, you can speak with any tutor on site to escalate the issue.

Methods of reporting include:

Verbal face-to-face

Email – info@creativeacademy.org or individual staff emails

Telephone: 01753 875 400

You can report sexual misconduct anonymously through the UWL portal

You can also report to Local Government Designated Officer lado@sloughchildrenfirst.co.uk

Useful contacts and support groups

Who	Support	Detail
The Samaritans	Offers emotional support 24 hours/day and 365 days/year, nationwide	116 123
The Havens	Specialist London centres for people who have been raped or sexually assaulted	0203 299 6900
Rape Crisis (SARC)	Information of the nearest sexual assault referral centre	SARCs Rape Crisis England & Wales
Papyrus	Offers advice and support for young people considering suicide	0800 068 4141
Victim Support	Offers support for victims of crime and traumatic incidents	0808 168 9111 Home - Victim Support
Support Line	Confidential emotional support	01708 765200 Support Line
Suzy Lamplugh	Offers advice for victims of stalking	0808 802 0300
Revenge Porn	Offers support for adults who are experiencing intimate image abuse	0345 6000 459
Galop (Hate Crime)	Offers support for LGBT+ people who've experienced hate crime, domestic abuse or sexual violence.	020 7704 2040 (hate) 0800 999 5428 (domestic abuse)
Sharan	Offers culturally sensitive advice on a range of practical and support services for Asian women.	0844 504 3231

Creative Academy point of contact

The Creative Academy will have one person trained to deal with cases and to whom reports may be made – George Kirkham, Principal (Creative Academy Principal), this will be investigated by an independent officer at Slough Borough Council.

Harassment, sexual misconduct, and Unacceptable Behaviour will be discussed as standard agenda items at all Creative Academy meetings, which include opportunities for staff to raise concerns about equality.

We will also encourage Student Representatives to include this as a standard agenda item at their meetings, along with equality and Prevent, to reiterate procedures and expectations.

Creative Academy expectations

The Creative Academy will set out expectations at enrolment for students and induction to staff. A copy of the policies relating to harassment, sexual misconduct and unacceptable behaviour will be made available on the secure part of the website.

The key points at student enrolment and staff induction is:

- Provide definitions of harassment
- Provide definitions of sexual misconduct
- Provide definitions of unacceptable behaviour
- Set expectations on the standards expected by students
- Set expectations on the standards expected by staff
- Inform staff and students of the key personnel involved in safeguarding
- Inform staff and students of how to report incidents
- Inform staff and students of key policies and procedures
- Reinforce zero tolerance for any form of harassment
- Reinforce zero tolerance for any form of sexual misconduct
- Reinforce zero tolerance to any form of unacceptable behaviour

Confidentiality

If your complaint is upheld, the action taken by either the staff or the student disciplinary panel will remain confidential. You will, however, be advised of any measures the Panel recommends if such information is considered to be in your legitimate interest to know, ensuring your wellbeing.

Any information about the outcome you are given will be on the basis that it remains confidential. You will, however, be given a contact in The Creative Academy, Slough Borough Council / University of West London with whom you can discuss matters and who can explain the process and who will also be able to refer you to other support should you want it.

Decisions during investigations

Internal investigations carried out by a Slough Borough Council officer may result in the student's suspension pending the outcome, if deemed a risk to continue studying. Additionally, officers can recommend postponement of studies.

If a student is not satisfied with any decision or outcome, please follow the complaints procedure at Creative Academy or contact the university. Where possible, at the discretion of the Slough Borough Council investigating officer, the Creative Academy may offer the completion of any studies via UWL flex.

Any investigation that is a 'police matter', whether initiated internally by the Creative Academy or externally by another person or body, could lead to the student being suspended to safeguard others and/or delay studies or qualifications. All final decisions regarding the student's return to studies depend on the outcome of any investigation.

Possible outcomes of an investigation

Depending on the nature of the complaint and the evidence found, including the findings of any investigation report, the HR Manager (for non-academic staff) the Senior Tutor (for academic

staff), or, in the event of a student complainant, the Dean, will take such action as they consider best, which may include any of the following:-

1. Take no further action apart from, where appropriate, implementing or suggesting steps that could help to restore reasonable professional relationships between the parties. This approach is usually suitable when the claim(s) of harassment are deemed unfounded and a continuing relationship exists between the parties.

OR

2. Begin addressing the issues, such as by requiring certain individuals to undertake specific training or by implementing practical measures to improve professional relationships. If a successful resolution is achieved, the case will be closed, but the situation may be monitored for an appropriate period. This approach is generally suitable when the evidence does not support a claim of harassment but makes it clear that either party has displayed behaviours likely to cause further problems if left unresolved or, alternatively, that there are structural issues within the Creative Academy requiring management attention.

OR

3. Institute disciplinary proceedings, following the appropriate disciplinary policy (as set out in the Code of Conduct), where the HR Manager, in consultation with a solicitor or Unison Rep if appropriate, is reasonably satisfied that there is evidence to support allegations of harassment of a sufficiently serious nature that should be further examined through the disciplinary process. In this event, the HR Manager or the Senior Tutor (as appropriate) will determine the necessary intermediate measures, including any reallocation of duties, in consultation with the relevant department as appropriate. More details can be found as follows:

If the complainant or accused is not satisfied with the outcome following the investigation of the formal written complaint, they may be able to appeal this decision using the relevant appeals process, which is set out in the UWL Policy.

Reporting to the Police

If at any point during this procedure the student is in danger/at risk, a Safeguarding Officer must be contacted immediately. For emergency situations where there is an immediate risk of harm, please call 999. Where the behaviour towards you constitutes a criminal offence, you are encouraged to report the matter to the Police (Thames Valley Police is the local division). The Police can handle cases with limited evidence as they can use forensic methods and may also compel individuals to give evidence. The Creative Academy will support you in this process where appropriate.

If the matter becomes the subject of a police investigation, the Creative Academy may suspend any student or postpone their studies as a precautionary measure subject to the disciplinary investigation until the police investigation is concluded, especially if there is a risk of harm to yourself or others in the Creative Academy.

Once this has occurred, the Creative Academy will determine what further steps are necessary. If the matter involves a staff member, the disciplinary process may proceed while the Police carry out any investigations. Where there is a risk of harm to yourself or others, Slough Borough Council may suspend the staff member, again as a precautionary action.

The Creative Academy will respect your wishes if you choose not to report the matter to the Police and will initiate disciplinary action, as appropriate, through Slough Borough Council.

You should note, however, that such action will only be taken if the alleged perpetrator has committed misconduct related to the Student Code of Conduct, Learning Agreement, or, in cases involving staff, whether Staff Disciplinary or Code of Conduct Policy have been breached. The Creative Academy will not determine whether someone has committed a criminal offence; this is solely a matter for the Police.

In some very rare cases, the Creative Academy may need to report the action to the police themselves when it is necessary to protect you (or others) from harm or to prevent a further crime from occurring.

POLICY	HYPERLINK
Cause for concern policy (Students)	Cause for concern policy University of West London
Code of Conduct (Students)	http://www.uwl.ac.uk/about-us/policies-and-regulations/student-code-of-conduct
Complaints procedure policy (Students)	www.creativeacademy.org/student-policy
Dignity at Work policy and procedure (Staff)	Strategies, plans and policies – Slough Borough Council
Disciplinary regulations (Students)	http://www.uwl.ac.uk/about-us/policies-and-regulations/disciplinary-regulations-students
Disciplinary policy and procedure (Staff)	Strategies, plans and policies – Slough Borough Council
Equality, Diversity and inclusion	Strategies, plans and policies – Slough Borough Council
Grievance policy and procedure (Staff)	Strategies, plans and policies – Slough Borough Council
Fitness to practise (Students)	www.creativeacademy.org/student-policy
Fitness to study (Students)	www.creativeacademy.org/student-policy
Freedom of Speech (UK only)	http://www.uwl.ac.uk/about-us/policies-and-regulations/Code-of-Practice-on-Freedom-of-Speech
Student Mental Health Policy	www.creativeacademy.org/student-policy
Safeguarding policy	www.creativeacademy.org/student-policy
Social media guidelines (Students)	www.creativeacademy.org/student-policy
Social media policy (Staff)	www.creativeacademy.org/student-policy
Staff/student relationships policy	www.creativeacademy.org/student-policy

Reviewing this statement or policy

This policy or statement will be annually reviewed to ensure it is fit for purpose, up to date and effective. Student representation will be part of the process to ensure that it is fair and clear. Any changes will be uploaded to the website, ensuring that it is accessible to prospective and current students. For general enquiries and/or complaints regarding this statement, please contact the Creative Academy using the information below:

- By phone - 01753 875400
- By email - info@creativeacademy.org
- By post - Creative Academy, 73a Stoke Poges Lane, Slough, Berkshire, SL1 3NY
- By website - using the contact us page on www.creativeacademy.ac.uk
- For complaints - please see the complaints process on the website