

Anti-Bullying, Harassment & Sexual Misconduct Student Policy

We seek to care for our students with an appropriate and fairly administered Anti-Bullying, Harassment and Sexual Misconduct policy.

Harassment and sexual misconduct are serious, and the Police should be informed immediately via 999 if you or someone else is in immediate danger.

If there are allegations you wish to refer to the police or to seek advice in the absence of emergency, call 101.

Overview

This document is founded in the belief that all members of our college community have dignity and worth. St Mellitus College is committed to being a safe environment where all members can flourish, and where visitors can be welcomed. Experiencing bullying, harassment or sexual misconduct places pressure on our wellbeing, and we are committed to working with all to provide safe places to be supported and to learn from previous incidents when they occur.

The College is committed to creating a harmonious environment which is free from harassment, sexual misconduct and bullying and in which everyone is treated with respect and dignity. It is committed to ensuring that individuals do not feel apprehensive because of their religious belief, gender, marital/civil partnership status, sexual orientation, race, age, disability or as a result of being subjected to any inappropriate behaviour. Harassment, bullying and sexual misconduct are unacceptable behaviour and will be treated as misconduct. All students must comply with this policy.

We hope that you will feel able to raise areas of concern at the soonest possible opportunity with your Formation Group Tutor or Centre Director. We may vary the procedures set out in this policy, including any time limits, where needed.

Who is covered by the policy?

This policy covers all students at all Centres. Harassment and sexual misconduct are unacceptable behaviours and contrary to the Equality Act 2010 and/or the Protection from Harassment Act 1997 and to our college vision and ethos.

This policy confirms our commitment to our students in identifying and eliminating all forms of harassment, intimidation and bullying. This policy is designed to ensure a safe, welcoming and inclusive environment for all members of the St Mellitus community.

The purpose of this policy is to outline how we will:

- provide an environment in which all members of our community feel safe and are respected
- set out our expectations around the unacceptability of bullying, harassment and sexual misconduct
- support students who have experienced any form of bullying, harassment or sexual misconduct
- respond to disclosed incidents which breach this policy.

If you have any queries regarding this policy, please contact the Dean of Ministry.

What is covered by this policy?

Bullying is offensive, intimidating, malicious or insulting behaviour which, through the abuse or misuse of power, makes the recipient feel vulnerable, upset, humiliated and threatened. Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual's self-confidence, competence and self-esteem. Bullying can take the form of physical, verbal and non-verbal conduct. Physical conduct includes perceived horseplay, touching, pinching, and pushing as well as grabbing, shoving, punching and other forms of physical assault. In addition to the manner in which we speak to and about one another, written material and pictures (including that disseminated by interactive and digital technologies) can be used to bully. These include emails, text messages, film clips and photographs taken using cameras in mobile phones as well as content uploaded onto websites.

Harassment can be defined as single or repeated incidents involving unwanted or unwarranted conduct towards another person which it is reasonable to think would have the effect of (i) violating that other's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other. Harassment may be verbal, psychological or physical, in person or via a virtual platform or through other methods of contact. These definitions apply whether or not there was an intention to cause the effect. Unacceptable conduct may include several specific behaviours - such as bullying or harassment on account of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Behaviour that may appear trivial as a single incident can constitute harassment or bullying when repeated.

Online harassment may take the form of intimidating, offensive or graphic posts on social media sites or chat rooms, or communications by email, text or instant messaging.

Sexual misconduct includes (but is not limited to) the following, whether or not within a sexual or romantic relationship, including where consent to some form of sexual activity has been given and then withdrawn, or if consent has been given on previous occasions:

- sexual intercourse or engaging in a sexual act without consent;
- attempting to engage in sexual intercourse or a sexual act without consent;
- sharing private sexual materials of another person without consent;
- kissing without consent;
- touching inappropriately through clothes without consent;
- inappropriately showing sexual organs to another person;
- repeatedly following another person without good reason;
- making unwanted remarks of a sexual nature.

Consent is the agreement to participate in a sexual act where the individual has both the freedom and capacity to make that decision. Consent cannot be assumed based on a previous sexual experience or previously given consent, and consent may be withdrawn at any time.

- **Freedom to consent:** For consent to be present, the individual must freely engage in a sexual act. Consent is not present when submission by an unwilling participant results from the exploitation of power, or coercion or force, regardless of whether there is verbal or physical resistance.
- **Coercion or Force:** This includes any physical or emotional harm or threat of physical or emotional harm which would reasonably place an individual in fear of immediate or future harm, with the result that the individual feels compelled to engage in a sexual act.
- **Capacity to consent:** Free consent cannot be given if the individual does not have the capacity to give consent. Incapacitation may occur when an individual is asleep, unconscious, semi-conscious, or in a state of intermittent consciousness, or any other state of unawareness that a sexual act may be occurring. Incapacitation may also occur on account of a mental or developmental disability, or as the result of alcohol or drug use.

Allegations should be made by named individuals as far as possible, as anonymous allegations cannot be investigated in the same way. Steps will be taken to investigate anonymous reports as far as possible.

Personnel responsible

The Dean (or Interim Dean) has overall responsibility for this policy and has delegated day-to-day responsibility for overseeing and implementing action required under it to the Executive and Senior Team (of which they are part).

Formation Group Tutors have a specific responsibility to operate within the boundaries of this policy and to facilitate its operation by ensuring that students understand the standards of behaviour expected of them and by identifying and acting upon behaviour that falls below these standards.

Students are responsible for treating their colleagues with dignity and respect. For the success of this policy everyone should ensure that they take the time to read and understand it. You should consider whether your words or conduct could be offensive to others. Sexual misconduct, harassment and bullying behaviour may not always be intentional but it is never acceptable.

Procedures

If you believe you have been harassed or been the subject of sexual misconduct, bullying or harassment, you may need emotional support to talk through your experiences, you may want advice on how to address and prevent the behaviour or you may want to know how to take up a formal complaint. It is helpful to keep a note or log of the behaviour, including when and where it happened, and how you felt about it. This will help when you talk it through with someone in college.

In most cases following the informal procedures will be effective in resolving the situation. If informal methods do not achieve satisfactory results, or if the harassment or sexual misconduct is serious, a formal allegation should be submitted.

Allegations should be made by named individuals as far as possible, as anonymous allegations cannot be investigated in the same way. Steps will be taken to investigate anonymous reports by the Executive as far as possible.

INFORMAL procedure

[1] If you consider that you are being bullied or harassed in any way and you feel able to, you should initially attempt to resolve the problem informally, explaining clearly to the person responsible that their behaviour is not welcome and that it offends you or makes you uncomfortable.

In many cases, speaking directly with the person concerned can be enough to bring the situation to a close. Sometimes people do not realise that their conduct is causing offence and explaining this to them is enough to make them rethink their behaviour. Ideally, the person should be approached at the earliest opportunity to prevent the behaviour from continuing or escalating. However, it may be that you do not feel comfortable or able to approach the person directly, in which case support should be sought to explore whether mediation through a third party would be possible.

[2] If this is too difficult or embarrassing for you to do on your own, you should seek support from your Formation Group Tutor or Centre Director. They will provide confidential advice and assistance to students who believe they have been bullied or harassed and will offer to assist in the resolution of any problems, whether through informal or formal means.

[3] If you are in any doubt as to whether an incident or series of incidents which have occurred constitute bullying or harassment, then in the first instance you should approach your Formation Group Tutor or Centre Director confidentially, on an informal basis. They will be able to advise you how your concerns should be dealt with.

If it is not appropriate or possible to resolve matters informally or, if after informal steps have been taken, the conduct continues, you should follow the formal procedure set out below.

FORMAL procedure

The informal procedure may not be appropriate due to the nature of the harassment or bullying or because you do not feel able to talk directly to the person creating the problem. In these cases, or where the informal procedure has been unsuccessful, you should raise your complaint in writing with the Executive, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. See paragraph below for details of the information required to be included in your written complaint. (If the matter concerns a member of the Executive, you should refer it to the Dean/Interim Dean. If the matter concerns the Dean/Interim Dean, you should refer it to the Chair of the St Mellitus College Board.)

As a general principle, the decision to progress a complaint rests with you. However, we have a duty to protect all students and may be obliged to pursue a complaint independently if, in all the circumstances, it is considered appropriate to do so.

Written Complaint

If you wish to make a formal complaint, you should write to a member of the Executive setting out full details of the unwanted conduct.

These details should include: 1) the name of the harasser or bully; 2) the nature of the harassment or bullying; 3) the date(s) and time(s) when the harassment or bullying occurred; 4) the names of any witnesses; 5) any action taken so far to attempt to stop the harassment or bullying.

Investigation

- Complaints will be managed in a timely and confidential manner via an independent investigation to establish full details of what happened. Your name and the name of the alleged harasser or bully will not be divulged other than on a "need to know" basis to those individuals involved in the investigation. The investigation will be thorough, impartial and objective, and will be carried out with sensitivity and with due respect for the rights of all parties concerned.
- At the outset, an Investigative Officer with suitable experience and with no prior involvement in the complaint will be appointed by the Executive and a timetable will be set down and communicated to all parties. The timetable will usually aim to enable the Executive to report their finding back to you within 28 days of your complaint first being reported.
- Consideration will be given to whether the alleged harasser or bully should be redeployed, suspended or whether other arrangements should be altered pending the outcome of the investigation
- As part of the investigation, the Investigating Officer will meet with you to hear your account of the events leading to your complaint. You have the right to be accompanied by a representative of your choice. The Investigating officer will also meet with the alleged harasser or bully who may also be accompanied by a representative of their choice. It may also be necessary to interview witnesses to any of the incidents mentioned in your complaint. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised.

- At the conclusion of the investigation, the Investigating Officer will submit a report to the Executive to consider the complaint. The Executive will aim to report their finding back to you within 28 days of your complaint first being reported. A copy of the Investigating officer's report together with the Executive's findings will be provided to you and to the alleged harasser.
- If the Executive finds that harassment or bullying has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence. The findings will be dealt with under our student disciplinary procedure. Even where a complaint is not upheld, (for example, where evidence is inconclusive), consideration will be given to how the ongoing relationship between you and the alleged harasser or bully should be managed.

Appeal

If you are not satisfied with the outcome of the investigation, you have the right to appeal the decision within 14 days of being notified of the outcome.

You should submit your full written grounds of appeal to the Executive. The Executive may nominate a suitably senior person not previously involved to hear your appeal. If the complaint is against a member of the Executive, you should write to the Chair of the St Mellitus College Board, who may nominate an independent person to hear your appeal.

The person hearing your appeal will meet with you to discuss your appeal. You may be accompanied by a colleague or a representative of your choice.

The aim will be to notify you of the outcome of the appeal within 14 days of this meeting.

This is the final stage of the formal procedure.

Protection for those making complaints or assisting with an investigation

Students who make a complaint or who participate in any investigation conducted under this policy in good faith will be protected from any form of intimidation or victimisation as a result of their involvement. If you consider that you have been subjected to any such intimidation or victimisation you should seek support from your Formation Group Tutor or Centre Director. You can alternatively or additionally raise a complaint in writing under this procedure.

If, after investigation, you are found to have provided false information or to have acted in bad faith you will be subject to action under our disciplinary procedure.

Confidentiality

Confidentiality is an important part of the procedures provided under this policy. Every student involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. Breach of confidentiality may give rise to disciplinary action under our disciplinary procedure.

Further support

- Dean of Ministry
- College Chaplains
- Counselling (accessed via Dean of Ministry)
- Victim Support – 08 08 16 89 11
- Living Without Abuse (LWA) – 0808 80 200 28
- The Survivor’s Trust – 08088 010818

Document Information

Prepared by: Tilly Bacon, COO

Version Number: 1.1

Approval Date: October 2025

Approved by: Senior Team

Date of Last Review: February 2026

Date of Next Review: February 2029