



UKCAB
UK Curriculum and Accreditation Body



Bullying, Harassment and Sexual Misconduct Policy

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1.0 Introduction

1.1 The Scholars School System is committed to ensuring a safe, respectful, welcoming and inclusive environment for its stakeholders, including staff and students, and recognises the 'unacceptability' or 'the damaging (or corrosive) effects of of bullying, harassment and sexual misconduct. Therefore, it expects that all staff and students must be treated, and must equally treat others, with dignity, respect and must always behave professionally, devoid of bullying, harassment and sexual misconduct.

1.2 It is within this framework that all bullying, coercion, harassment and sexual misconduct issues raised by anyone should be treated transparently, neutrally, fairly and consistently. Therefore, any individual accused of unexpected behaviour, including sexual misconduct, must be given the right to respond.

1.3 The framework outlined in this Policy seeks to increase access to available support resources, embed mandatory reporting mechanisms (where applicable) and increase institution-wide awareness processes for further action(s), including how and where to obtain support.

2.0 Purpose

2.1 The purpose of this policy is to foster a safe, welcoming, respectful and inclusive environment for all members of Scholars School System (SSS) community, including those interacting with staff and students in the course of their work and/or duties. Therefore, it will not tolerate any form of bullying, harassment, coercion or sexual misconduct under any circumstances within its premises.

2.2 The policy seeks to provide a stimulating and supportive atmosphere that empowers staff and students to reach their full potential. Therefore, it is essential for the institution to cultivate an environment that is free from bullying, harassment, intimidation, sexual misconduct, aggression, and coercion consistent with the OfS E6 condition.

2.3 The policy also aims to provide clear guidelines and advice to all stakeholders, including students and staff, on how to access the necessary resources to support their needs when they encounter or experience bullying, harassment, or sexual misconduct. It is, therefore, vital for SSS to foster a supportive environment that guides students and staff to appropriate resources. This proactive approach is intended to help prevent such incidents from occurring across any of our campuses.

3.0 Scope

This policy applies to all stakeholders, including staff, students, visitors, and contractors, and adheres to the provisions of the Protection from Harassment Act 1997. Therefore, it is designed for all students and staff who are experiencing unacceptable behaviour during their time at the Scholars School System. It covers the following stakeholders:

- 3.1 Students who have experienced or are experiencing unacceptable behaviours, such as discrimination, bullying, or harassment;
- 3.2 Staff who have experienced or are experiencing other unacceptable behaviours, such as discrimination, bullying, or harassment;
- 3.3 Students who experience or are experiencing sexual misconduct in classrooms, on-campus or during work placement
- 3.4 Staff who experienced or are experiencing sexual misconduct from colleagues, visitors, contractors or students on campus, in the office or in-classroom during the performance of their duties

4.0 Definitions

4.1 Harassment

- 4.1.1 Harassment is defined as any unwanted conduct that infringes on an individual's dignity or creates an intimidating, hostile, degrading, or offensive environment. This definition is consistent with the Equality Act 2010 and follows the HSM guidance under OfS Condition E6.
- 4.1.2 Any form of intimidation relating to a "relevant protected characteristic", such as sex, marital status, race, disability, religion or beliefs, sexual orientation, age or gender reassignment.
- 4.1.3 It may include harassment because they are related to, or associate with, an individual who possesses a relevant protected characteristic; or harassment by a colleague with the mistaken belief that they possess a relevant protected characteristic.

Examples of behaviour which may constitute harassment include (but are not limited to):

- spreading malicious rumours;
- professional or social exclusion;
- insulting behaviour;
- unwelcome sexual advances or physical contact;

4.2 Bullying

- 4.2.1 Bullying is defined as behaviour that is intimidating, hostile, degrading, humiliating or offensive, through means which have the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, or humiliating environment. It encompasses repeated, deliberate actions intended to cause harm, including professional or social exclusion, or other demeaning behaviours.
- 4.2.2 It may also include physical assault; abusing a position of power; verbal abuse, threats, derogatory name-calling, inappropriate banter, ridicule, insults and offensive or embarrassing jokes; cyber-bullying e.g. sending offensive emails, texts or visual images, or posting embarrassing images on social media; derogatory graffiti/insignia or display of derogatory or offensive material; unfounded threats relating to job security; calculated undermining of an employee's competence, for example, through a consistently unreasonable or unfair workload or overbearing supervision; and inciting others to commit any of the above.

4.3 Sexual Misconduct

Sexual misconduct is:

- 4.3.1 Any act of violence, coercion, or intimidation of a sexual nature.
- 4.3.2 Any form of unwanted, non-consensual physical contact, including but not limited to sexual touching or groping, pinching, or smacking.
- 4.3.3 Any behaviour, verbal or non-verbal, that constitutes sexual harassment, including inappropriate comments, gestures, or advances.
- 4.3.4 Any sexual behaviour or conduct that violates personal boundaries, whether within or outside a personal or professional relationship, including sexually explicit remarks, sexual jokes, teasing or songs
- 4.3.5 Any attempt to pressure, manipulate, or coerce an individual into unwanted sexual activity.

- 4.3.6 Any use of authority, power, or influence to solicit or force sexual favours, either explicitly or implicitly.
- 4.3.7 The promising of a reward for sexual access and sexual demands or threats
- 4.3.8 Innuendos or banter
- 4.3.9 Wolf whistling, cat calling or making other sexually offensive noises
- 4.3.10 Offensive comments about someone's dress, appearance or private life, including sexuality or gender identify
- 4.3.11 Unwanted request to engage in or discuss sexual activity
- 4.3.12 Lifting or removing clothing
- 4.3.13 Stalking
- 4.3.14 Using humour to cover up or deflect sexual misconduct
- 4.3.15 Display or distribution of pornographic or sexually explicit materials with colleagues

4.4 Discrimination

Discrimination is defined as the unfair or less favourable treatment of others due to a protected characteristic. The Equality Act 2010 prohibits treating anyone unfairly or less favourably due to a protected characteristic. These may include but not limited to the following:

- 4.4.1 Age
- 4.4.2 Disability
- 4.4.3 Gender reassignment
- 4.4.4 Marriage and civil partnership
- 4.4.5 Pregnancy and maternity
- 4.4.6 Race (including ethnic origin, nationality, and colour)
- 4.4.7 Religion or belief
- 4.4.8 Sex
- 4.4.9 Sexual orientation

4.5 Hate crimes

Hate crimes are criminal acts committed against an individual based on hostility or prejudice towards their:

- 4.5.1 Disability
- 4.5.2 Race or ethnicity
- 4.5.3 Religion or belief

These offenses are motivated by bias and are intended to harm or intimidate individuals because of their identity or perceived identity.

4.6 Grooming

Grooming is a deliberate and gradual process in which someone in a position of power manipulates another individual to engage in activities they may be uncomfortable with while making them less likely to resist or report abusive behaviour. It often begins with building trust, befriending the individual, and making them feel valued or special. Over time, this manipulation can escalate, potentially leading to sexual abuse and/or exploitation.

4.7 Abuse of power

Abuse of power occurs when an individual misuses their position of authority or influence in an inappropriate or unacceptable way. This behaviour can manifest in various forms, including, but not limited to:

4.7.1 Exploiting others for personal or professional gain.

4.7.2 Forcing or intimidating individuals into actions against their will.

4.7.3 Encouraging or compelling staff to engage in unethical practices, such as workplace or research misconduct.

4.7.4 Subjecting others to repeated, harmful, or unwelcome behaviours.

4.7.5 Using close personal or intimate relationships, where authority is used to exert undue influence or control.

4.8 Victimisation

Victimisation occurs when someone is treated less favourably because they have:

4.8.1 Made a claim or complaint of discrimination under the Equality Act.

4.8.2 Assisted someone else in making a complaint of discrimination.

4.8.3 Made a disclosure (whistleblowing) under the Public Interest Disclosure Act 1998.

4.8.4 Been perceived to have made, assisted with, or may in the future make or assist with, a complaint or disclosure.

4.9 Intimate Relationship

OfS E6 condition referred to intimate relationship as:

4.9.1 *“except for excluded relationships, any relevant staff member is prohibited from having an intimate personal relationship with one or more students”; and*

4.9.2 *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.*

4.10 Consent

4.10.1 Consent involves agreeing by choice and having the freedom and capacity to make that choice. It is the responsibility of the person seeking consent to ensure it is freely given, informed, and recognised as something that can be withdrawn at any time.

4.10.2 A person is free to make a choice only if no negative consequences would occur from saying "no." Freedom to consent may be compromised in situations such as:

4.10.2.1 Being threatened with harm by the perpetrator or another person.

4.10.2.2 Fear of being embarrassed or degraded.

4.10.2.3 Believing their academic progress or career advancement will be jeopardised, if they refuse.

4.10.2.4 Being forced into compliance through threats of exposing sensitive information.

4.10.2.5 Feeling pressured to continue in a relationship due to a significant disparity in power or authority.

4.10.3 Capacity to consent refers to a person's ability to make a choice and comprehend its consequences. Consent cannot be given if someone is physically or mentally incapable of making an informed decision. These may include but not limited to the following:

4.10.3.1 Being drunk or under the influence of drugs, where they may still be physically capable but mentally unable to provide consent.

4.10.3.2 Being asleep or unconscious.

4.10.3.3 Having a cognitive or learning difficulty, including experiencing a disability that affects speech or understanding or being in a mental health crisis that impairs decision-making.

5.0 Reporting

5.1 Any member of staff or student may submit their concern(s) regarding an incident of harassment, bullying or sexual misconduct, if they consider a behaviour is unacceptable or does not meet the expectations of the institution. An incident report form can be completed and submitted through the institution's online portal (insert web link here). In the case of students, all incidents should be reported initially to a safeguarding officer, or through the online complaints' portal

5.2 If the incident involves an allegation against another student, then the SSE Team will review the records of the student on CRM to ascertain whether the Reported Student has committed any previous acts of disciplinary misconduct and may provide this information to the complaints panel, if appropriate. This information may not be relied upon as evidence that the student has committed the alleged incident being considered for investigation but may be considered when considering the disciplinary level and/or any sanctions (if appropriate)

5.3 If the incident involves an allegation against a member of staff, all incidents must initially be reported to the centre managers or heads of departments, who will inform the HR department, if it is escalated beyond the informal stage. For the case to be formalised, the HR Manager will advise the individual to complete the online Complaints Form, using the email address in 5.1 above.

5.4 In the case of the disclosure of criminal behaviour, the Scholars School System, as an institution will be obligated to report the matter to the degree awarding body, including involving the police, if necessary.

6.0 Principles

6.0 SSS is fully dedicated to upholding the principles of equality, diversity, and inclusion in alignment with the Equality Act 2010, the Protection from Harassment Act 1997, and the Workers Protection Act 2024, as well as its own values, mission and vision. No member of SSS is expected

to tolerate unacceptable behaviour, whether it originates from another member, a third party (such as a supplier or visitor), or a member of the public.

- 6.0 Harassment and bullying, including sexual misconduct, is treated as a form of discrimination under OfS Condition E6. Therefore, any of these kinds of behaviours will be taken seriously by SSS and addressed promptly, and may result in disciplinary action(s), if applicable.
- 6.0 SSS takes all reports of sexual misconduct, violence, harassment or bullying seriously. Therefore, all reports submitted by individuals are carefully reviewed and action taken, where appropriate.
- 6.0 Each case will be treated with transparency, neutrality and fairness. It will be considered on individual merit based on the evidence presented. In addition, any sanction(s) will be proportionate and fair, based on the evidence available.
- 6.0 The complaints panel may put in place measures to address any identified risk or ensure the integrity of any student or staff facing disciplinary investigation is maintained.
- 6.0 All communications to students or staff must be done securely using official email addresses. Alternative communication channels or personal contact addresses may be used, where appropriate, for example, to facilitate reasonable adjustments. Therefore, students and staff are required to keep their contact information up to date.
- 6.0 Students or staff are expected to attend meetings where reasonable notice has been provided. Decisions may be made on the available evidence where it is considered reasonable to do so. Therefore, they are expected to monitor their official email accounts.
- 6.0 SSS may vary any aspect of this Procedure where it is considered necessary, for example, to accommodate reasonable adjustments, including the right to request evidence to support decision-making.
- 6.0 Anonymous reports are not usually permitted or relied upon during a disciplinary process.
- 6.0 Any report or evidence deemed to be frivolous, vexatious or false will be dismissed. This can occur at any stage of the process. SSS may pursue disciplinary action in such circumstances, based on the evidence
- 6.0 Formal disciplinary action will not be taken until an appropriate investigation has been conducted.
- 6.0 The reported staff or student will be informed of the nature of the harassment, bullying or sexual misconduct against them and given the opportunity to present their case before any action is taken.
- 6.0 Staff will not be dismissed for a first breach of discipline, except in cases of gross misconduct, which may result in summary dismissal without notice or pay in lieu of notice.
- 6.0 The procedure can begin at any stage based on the severity of the harassment, bullying or sexual misconduct but must always be preceded by an investigation.
- 6.0 All matters handled under this procedure will remain strictly confidential.
- 6.0 Where a matter is subject to a police investigation, action under this Regulation may continue as directed by the Chair of the complaints panel but no action will be taken that may be liable to interfere with a police investigation or obstruct justice.

6.0 During the investigatory phase of any criminal or disciplinary proceedings, SSS may choose to apply restrictions to the alleged perpetrator to safeguard both parties and minimise the likelihood of further contact between the two parties and/or at the request of the complaints panel during the investigation. Under such circumstances, the panel will act proportionately, reasonably and on the presumption of innocence on the part of the subject of the allegations.

6.0 As the burden of proof for the institution's internal disciplinary procedures (balance of probability) is lower than that of the criminal investigations (beyond reasonable doubt). Therefore, there may be circumstances where the complaints panel may find an individual guilty of an offence, even where a police investigation concluded that there was no case to answer.

7.0 Confidentiality

Confidentiality is essential when managing cases involving alleged unacceptable behaviour, such as bullying, harassment, or sexual misconduct. All parties involved, including the Reporting Party, the Reported Party, and the student support officer, safeguarding representative or HR Manager (or representative) responsible for handling the case must ensure that information is only shared on a strict 'need-to-know' basis. This approach helps to maintain the privacy, protect the integrity of the process, and foster trust in the reporting and resolution procedures.

8.0 Roles and Responsibilities

8.1 Students and staff are responsible for their own conduct or behaviour whilst on campus. They are also responsible for the conduct or behaviour of their guest(s) and others on the institution's campuses/premises.

8.2 SSS is responsible for ensuring that the Procedure inherent in this policy, all supporting materials and required resources are accessible to students or staff, when needed. It is also the responsibility of the institution to ensure that expectations and processes established in this Procedure are applied and enforced.

8.3 The complaints panel is responsible for all student and staff complaints and chaired by the Head of Quality Assurance. All matters relating to formalised student and staff matters related to harassment, bullying or sexual misconduct must be directed to the complaints panel, using the email address specified in 5.1 above

9.0 Prevention and Awareness

9.1 To educate staff and students about the significance of bullying, harassment and sexual misconduct, periodic trainings will be conducted for all staff across the campuses, whilst posters will be displayed to educate students about prevention, including the support available to them. In addition, the Scholars School System is committed to creating Podcast on prevention and support mechanisms and upload it on the institution's website and Moodle for ease of access to students. To support this process, the institution is also committed to creating infographics and animations to further raise awareness and educate students about the implications of bullying, harassment and sexual misconduct, and how to report incidents, as and when they occur.

9.2 As a preventative measure, the Scholars School System will create dedicated areas, including virtual platforms, to inform students and staff about resource access and direct affected individuals to the right support system, when needed. Moreover, the institution is committed to ensuring that all Heads of Departments and Centre Managers call up meetings to communicate the requirements and expectations of the new OfS E6 condition, including educating them on how to report incidents, when they occur.

9.3 To demonstrate its commitment and dedication, the Scholars School System will expand its scope to ensure that even regular guests/visitors on its campuses are made aware of the implications of their actions and encourage them to abide by the institution's code of conduct about expected behaviour. In addition, the

institution is committed to employing early intervention/warning mechanisms to raise awareness and prevent the exposure of students/staff to imminent threats before they occur.

10.0 Stages of investigation

10.1 Stage 1 – Initial investigation

The Scholars School System acknowledges that in certain circumstances, an informal approach may be suitable in resolving minor misconducts. Therefore, it is appropriate for the issue to be addressed at this stage by the line manager (in the case of staff) and a campus safeguarding officer (in the case of students). This process is applicable only to minor infractions. The line manager or the Safeguarding Officer will normally speak to the employee or student in private to assess the following:

- 10.1.1 Nature of the concerns
- 10.1.2 Severity of the misconduct
- 10.1.3 Actions required for improvement
- 10.1.4 Details of the referral support services available at SSS
- 10.1.5 Timelines and review dates
- 10.1.6 Possibility of escalation, if there is no resolution at this level
- 10.1.7 Minor breaches will be considered resolved at this stage
- 10.1.8 The line manager or the Safeguarding Officer should summarise the complaints and log the outcomes of the discussions or meetings on CRM or MS teams
- 10.1.9 A copy should be shared with the reporting and reported students or staff

10.2 Stage 2 - Formal Investigations

In the event of an escalation, the investigation will be formalised, and it will follow a structured process to ensure fairness, neutrality and transparency. The line manager or the Safeguarding Officer at this stage will do the following:

- 10.2.1 Refer the matter to the complaints panel using the following email address: complaints@scholarsschool.ac.uk (in the case of student) or the HR Manager (in the case of staff) using the following email address: hr@scholarsschool.ac.uk
- 10.2.2 The complaints Panel or HR Manager will notify the reported student or staff about the investigation and provide reasons for the investigation, details of the concerns raised, highlight applicable policies, and the support services available, if needed.
- 10.2.3 To formalise the complaints, the reporting individual must complete the online 'Sexual Misconduct reporting Form' using the email address in sub-section 9.2.1 and must be submitted by the reporting student or staff to the complaints panel or the HR Manager respectively.
- 10.2.4 If the harassment, bullying or sexual misconduct is about the HR Manager, the 'Sexual Misconduct reporting Form' should be submitted directly to the complaints panel using the email address in subsection 10.2.1 above.

10.2.5 When submitting a harassment, bullying or sexual misconduct complaint, there should be a proportionate amount of detail which allows for the complaints Panel and the reported student or staff to understand the concern, but without excessive information.

10.2.6 Any relevant supporting documentation/evidence can be submitted with the complaints Form but should also be proportionate. There will be an opportunity to discuss the type of harassment, bullying or sexual misconduct during the investigation.

10.2.7 The complaints Form (and potentially the relevant documents) will be shared with the reported student or staff so that they are able to meaningfully respond to the charges against them.

10.2.8 If the harassment, bullying or sexual misconduct directly involves the line manager, the matter should be referred to directly HR Manager using the following email address: hr@scholarsschool.ac.uk

11.0 Investigation and Accountability process

11.1 The HR Manager (or their nominee) will refer the matter to the complaints panel (in case of staff) and the SSE officer will refer the matter to the complaints panel (in the case student), for further consideration.

11.2 The Chair of the panel, who is the Associate Dean of Partnerships, should have no prior involvement in the case, otherwise, a neutral person should chair the investigation.

11.3 An HR Manager or Representative will provide procedural advice and support to the investigation, and therefore, may be present in meetings under the Formal Stage.

11.4 The complaints panel will conduct a reasonable investigation to establish the facts and to make, where appropriate, recommendations to resolve harassment, bullying or sexual misconduct case.

11.5 It is up to the panel to determine whether any previous sexual misconduct, coercion, violence, bullying or harassment issues are relevant to their investigation.

11.6 It is up to the panel to determine the scope of the investigation, including whether any sexual misconduct, bullying, harassment or evidence is out of scope for the investigation. For example, a Panel may choose not to consider sexual misconduct, bullying or harassment, where they happened too long ago (say 5 or 10 years ago), as they are not relevant to the harassment, bullying or sexual misconducts in front of them, especially, if it relates to someone who no longer works with or attends the institution.

11.7 Estimated timescales for hearing the harassment, bullying or sexual misconduct case will be discussed from the outset by the Complaints Panel. The HR or SSE Representative will regularly check-in with the parties to update them, including on any significant delays, along with the reasons for the delay. However, all complaints filed with the panel will receive an acknowledgment within 5 working days, and possibly, receives a substantive response within 2-5 working days

11.8 Where the harassment, bullying or sexual misconduct is very broad and lengthy, the panel may consider the issues which have been raised in themes (rather than each individual point/allegation), to ensure that the investigation is manageable and proportionate. Where possible the themes will be agreed with the reporting and reported student or staff.

11.9 The panel will normally invite the reported student or staff to a meeting to discuss the charges levied against them and will notify them of their right to be accompanied to the meeting by a work colleague, parent or any close relation.

11.10 The panel will engage with the reported student or staff, normally in a meeting. They will also inform them of their right to be accompanied by a colleague, parent or any close relation.

11.11 The panel may meet any witnesses they consider relevant, or they may engage with the witnesses in writing, for example, emailing questions. If the parties suggest additional witnesses, it is for the panel to determine whether those witnesses are relevant.

11.12 Following the conclusion of the panel's meetings, and without unreasonable delay, the secretary/scribe to the panel will produce a written outcome about their findings and where appropriate, will set out any recommendations to resolve the harassment, bullying or misconduct claims and/or to help to rebuild working relationships.

11.13 The reporting students or staff and the reported student or staff will receive a copy of the outcome report. The report will also be shared with the reporting and reported student's Head of Department and in the case of staff, the outcome will be shared with their line-manager, if appropriate. They will be responsible for actioning any recommendations. Where the concerns were raised about the reported staff's line-manager or the reported student's Head of Department, the report will be shared with the next appropriate manager up in the department or the HoD of another department.

11.14 If the panel concludes that the harassment, bullying or sexual misconduct, including coercion and/or violence has been upheld, they may recommend disciplinary action. The reported student or staff will normally be informed that a recommendation to move forward to a disciplinary process will proceed. Following the conclusion of a disciplinary process, the reported student or staff will be informed whether a sanction has been upheld but will not be provided with details about the level of the sanction.

11.15 If the affected student or staff is not satisfied with the outcome, they have a right of appeal against the formal stage

12.0 Disciplinary Actions, Penalties and Procedure

12.1 Reclassification

During the deliberations, the disciplinary panel may decide to reclassify the harassment, bullying or sexual misconduct allegations at any stage based on evidence. Updates will be provided to the reporting and reported parties, if necessary.

At the conclusion of the investigation, the Reporting Staff or Student will receive written notification of one of the following outcomes:

- **No Further Action:** Insufficient evidence or no misconduct found.
- **Level 1/2 Misconduct:** Allegations upheld (fully or partially) or not upheld.
- **Level 3 harassment, bullying or sexual Misconduct:** the reported staff or student will be referred to the Disciplinary Panel for the levy of the appropriate sanction befitting the offence committed.

Sanctions for Level 1 or 2 misconduct will be determined based on the balance of probabilities and communicated to the reported student or staff by the Disciplinary panel. The panel may make recommendations, but they are not enforceable. The Reporting student or staff will be kept informed of the investigation's progress, with updates provided in a manner that respects GDPR regulations.

12.2 Disciplinary Action and Penalties

The Disciplinary Panel, chaired by the Associate Dean Teaching and Learning, will take into consideration the severity of the case before deciding on the type of sanction or Penalty. Other members of the panel will comprise of the Deputy Manager of SSE, Admissions Manager, Retention Manager, and Placement Manager.

The Disciplinary panel at this stage must determine whether a disciplinary penalty is appropriate. This decision should consider the following:

12.2.1 Whether the Disciplinary Procedure and Standards of Conduct specify the consequences for the misconduct.

12.2.2 The actions taken in similar cases previously using precedence.

12.2.3 Any special circumstances that may warrant reducing the severity of the penalty

12.2.3 Whether the behaviour in question was deliberate or accidental.

12.2.4 Review the reported student's disciplinary record, since they joined the institution

12.2.5 Review the reported staff disciplinary record, including overall employment history, position, and length of service, since they joined the institution.

12.2.6 Whether the proposed action is reasonable given all circumstances.

12.3 Disciplinary Penalties

12.3.1 Stage 1 – Formal Verbal Warning

12.3.1.1 A formal verbal warning may be issued if conduct or performance falls below acceptable standards.

12.3.1.2 This warning will be recorded on the reported employee's HR file but disregarded after six months, provided conduct and performance are satisfactory. In the case of a student, the record will be kept under their file on CRM

12.3.1.3 The reported staff or student will be notified in writing of the required standards and the steps needed to improve on their behaviour/conduct. Failure to meet these standards during their probationary period (say 6 months) may result in further disciplinary action.

12.3.2 Stage 2 – First Written Warning

12.3.2.1 A first written warning may be issued for a serious breach of discipline or if further harassment, bullying or sexual misconduct occurs while a previous warning remains active, as stipulated in sub-sub-section 12.3.1.3.

12.3.2.2 This warning will be documented and kept on the HR file for 12 months for staff but disregarded afterward if conduct and performance remains satisfactory. In the case of students, the warning record will be documented and kept on CRM by a designated student support officer for 12 months but disregarded after behavioural and conduct improvement.

12.3.2.3 Written confirmation will outline the expectations, necessary improvements, and consequences of failing to meet these standards.

12.3.3 Stage 3 – Final Written Warning

A final written warning may be issued in the following scenarios:

12.3.3.1 Repeated unacceptable behaviour or misconduct for which a previous warning remains active.

12.3.3.2 Misconduct not severe enough for dismissal but significant enough to warrant a single, final warning.

12.3.3.3 This warning will be documented and kept on the HR file for 12 months for staff but disregarded afterward, if the conduct and performance remain satisfactory. In the case of students, the warning record will be documented and kept on CRM by a designated student support officer under their name.

12.3.3.4 Written notice will include expectations, required actions, and the consequences of further misconduct, which may lead to dismissal (in the case of staff) or withdrawal from a programme of study (in the case of student)

12.3.4 Stage 4 – Dismissal with Notice

Dismissal with notification may occur when:

12.3.4.1 The harassment, bullying or sexual misconduct persists after warnings, and the required standards remain unmet.

12.3.4.2 The offense, though not gross misconduct, irreparably damages the reputation of the institution.

12.3.4.3 The dismissal will be confirmed in writing, including the reasons and termination date. Pay in lieu of notice may be provided at the institution's discretion.

13.0 Summary Dismissal

13.1 Applicability

This may occur where there is:

13.1.1 Gross misconduct. In this case, it refers to severe unacceptable behaviour or misconduct that destroys the trust required for continued employment or study at the institution. Examples include theft, violence, harassment, sexual misconduct or serious breaches of policy.

13.1.2 No notification or pay in lieu of notice after a thorough investigation and disciplinary hearing.

13.2 Exceptional Circumstances and Time Limits

13.2.1 Time limits for disciplinary penalties are specified but may be extended in exceptional cases, such as repeated harassment, bullying or sexual misconduct shortly after the expiration of prior warnings.

13.2.2 For severe offenses bordering on gross misconduct or unacceptable behaviour, it may be stated explicitly that a final written warning will remain on record indefinitely, with any recurrence resulting in dismissal.

13.3 Alternative Actions

In some cases, as an alternative to dismissal, the following actions may be considered:

13.3.1 Reassignment to a lower-level position without salary protection for staff. In the case of student, complete withdrawal from their programme of study depending on the panel's decision.

13.3.2 Movement to a different role or department within the institution for staff. In the case of student, movement to another programme of study depending on the panel's decision

13.3.3 These decisions require consultation with the complaints panel, the line manager (staff) or head of department (student), including listening to the advice of the HR Manager

14.0 Suspension During Investigations

14.1 Purpose of Suspension

Under the Disciplinary policy, suspension is used as a neutral tool, not a disciplinary action. Therefore, it is implemented or used only when necessary to address the following:

14.1.1 Allow a thorough investigation of serious allegations of harassment, bullying or sexual misconduct.

14.1.2 Prevent disruption of the investigation or the process.

14.1.3 Mitigate risks to individuals' safety or safeguard institutional interests.

14.2 Conditions of Suspension

14.2.1 Employees will remain on full pay during the suspension period. In the case of student, their student loan will not be affected or withdrawn during the suspension period

14.2.2 The suspension must be confirmed in writing within 48 hours, explaining the reasons and any associated conditions.

14.2.3 Suspension will be kept as brief as possible.

14.3 Notification of the suspension Decision

14.3.1 Staff or students should be informed verbally of the disciplinary decision at the conclusion of the hearing whenever possible.

14.3.2 Written confirmation of the decision, including the right to appeal, should be provided within fourteen days.

14.3.3 In cases of sensitive matters, such as sexual misconduct, transparency may require notifying victims of the investigation's outcome, including any disciplinary action(s) taken.

14.4 Criminal Offenses

14.4.1 Criminal charges or convictions do not automatically result in disciplinary action. The disciplinary panel will assess their relevance to the student or staff and their impact on the institution's interests.

15.0 Right of Appeal

15.1 If the affected student or staff is not satisfied with the outcome of the Formal Stage, an appeal can be submitted to the Disciplinary panel (students), which is headed by the Head of Quality Assurance, in writing using the following email address: complaints.appeals@scholarsschool.ac.uk or HR Manager (in the case of staff) using the following email address: hr@scholarsschool.ac.uk. This must be done within 5 working days of the date of the written outcome of the Formal Stage.

15.2 The appeal is not designed to re-hear the formal investigation but to examine the grounds of appeal. Appeals may be raised on one or more of the following grounds:

- ✓ That the decision of the panel is flawed because the evidence did not support the conclusion reached;
- ✓ That material new evidence not previously available has come to light since the investigation report;
- ✓ That any action proposed was inappropriate in the circumstances of the case; and/or
- ✓ That there has been a failure to follow procedure which has had a material effect on the decision taken by the panel.

15.3 The HR Manager (or their nominee) or disciplinary panel will refer the matter to the registrar's office, who chairs the appeals panel, for further consideration of the case. In such cases, the 'Staff or Student Disciplinary Appeals Form: must be sent by the affected individual with full supporting evidence to the registrar's office using the following email address: complaints.appeals@scholarsschool.ac.uk

15.4 An HR Representative or SSE officer, who may be the same person, who supported the Formal Stage, will provide procedural advice and support to the appeal process and may be present in meetings under the appeal stage.

15.5 The purpose of the appeal stage and/or meeting is not to undertake a reinvestigation but is an opportunity for the Appeals panel to review the previous investigation and the outcome considering the points of appeal, and to consider any new evidence.

15.6 The affected student or staff will normally be invited to attend a meeting with the Appeals panel to discuss the appeal and will be notified of the right to be accompanied to the meeting by a work colleague.

15.7 The Appeals panel will decide if they wish to meet with the reported student or staff and/or any other witnesses. The Appeals Panel may also put written points to the reported student or staff and/or witnesses, rather than meeting them. This may include witnesses who were not part of the original investigation, at the discretion of the Appeals Panel. Where the Appeals Panel is meeting with/putting written points to anyone as part of this process, they may share details of the points of appeal with them in advance.

15.8 Following the meeting and without unreasonable delay, the Appeals Panel will provide a written outcome of their findings within 14 days, and where appropriate, will set out any recommendations. The affected student or staff and the reported student or staff will be provided with a copy of the appeal's findings. The outcome will also be shared with the affected staff's line-manager or the affected student's HoD and, if appropriate, the Reported staff's line-manager or the reported student's HoD, who will consider any recommendations and take forward any appropriate action. Where the harassment, bullying or sexual misconduct were raised about the affected staff's line-manager or the affected student's HoD, the written outcome will be shared with the next manager/HoD in the department or another department recommended by the Disciplinary Panel.

15.9 The decision at this stage is final and there is no further right of appeal.

16.0 Advisory, Conciliation and Arbitration Service

16.1 For Staff

16.1.1 Once a formal "Completion of Procedures" letter has been issued, if the staff feels that their complaint is still not resolved or that the outcome is unreasonable in relation to the evidence, they may raise their complaint with the Advisory, Conciliation and Arbitration Service (ACAS) within 5 working days.

16.1.2 The ACAS is an independent body that operates externally of the institution's jurisdiction. It will not normally look at a complaint until all relevant internal complaints' procedures have been exhausted.

16.1.3 It should be noted that the role of the ACAS is to review the final decision of the Complaints and Appeals panels of the Scholars School System; it is not to re-investigate the complaint or appeal.

16.1.4 Further information is available from the ACAS website <https://www.acas.org.uk/>. The Complaint Panel will be notified by the Registrar and Controller of Exams of all complaints referred to the ACAS. The Complaints Panel will update the Complaints Log and record accordingly.

17.0 Office of the Independent Adjudicator

17.1 For Students

17.1.1 Once a formal "Completion of Procedures" letter has been issued, if the student feels that their complaint is still not resolved or that the outcome is unreasonable in relation to the evidence, they may raise their complaint with the Office of the Independent Adjudicator (OIA) within 5 working days.

17.1.2 The OIA is an independent body that operates externally of the institution's jurisdiction. It will not normally look at a complaint until all relevant internal complaints' procedures have been exhausted.

17.1.3 It should be noted that the role of the OIA is to review the final decision the Complaints and Appeals panels of the Scholars School System; it is not to re-investigate the complaint or appeal.

17.1.4 Further information is available from the OIA website <http://www.oiahe.org.uk/>. The Complaint Panel will be notified by the Registrar and Controller of Exams of all complaints referred to the OIA. The Complaints Panel will update the Complaints Log and record accordingly.

18.0 Support Available for students and staff

18.1 Students who have experienced, or are experiencing, incidents of harassment, bullying, sexual misconduct, assault or violence, will be assigned a Safeguarding Officer for support. In the case of staff, a HR Officer will be assigned.

18.2 A Safeguarding Officer or a HR officer will be assigned after the receipt of a report from the complaints panel and where appropriate contact details are provided.

18.3 A Safeguarding Officer will specifically be assigned to support the student and/or a HR member of staff in case, who have been victims of sexual misconduct, harassment, bullying, abuse, assault or violence. The student and/or staff will be given an opportunity to select a preferred staff member (female or male)

18.4 If the report is submitted anonymously, the Safeguarding team will not be able to provide support. Students and staff are strongly recommended to provide their name and email address for the requisite support to be provided.

18.5 All interactions between the Safeguarding officer and students or HR officers and staff will be treated confidentially. However, it must be noted that in cases where there are serious concerns about the well-being of the student or staff, such as risk of harm to themselves, some level of confidentiality will need to be breached, if emergency services are required or next of kin is required to be contacted.

18.6 Students and staff will be able to access information about internal and external contact details for support services. In the case of student, they can contact the Safeguarding Team using the following email addresses:

1. [Manchester Campus: Safeguarding.Manchester@scholarsschool.ac.uk](mailto:Manchester.Campus.Safeguarding@scholarsschool.ac.uk)
2. [Leicester Campus: Safeguarding.Leicester@scholarsschool.ac.uk](mailto:Leicester.Campus.Safeguarding@scholarsschool.ac.uk)
3. [Bradford Campus: Safeguarding.Bradford@scholarsschool.ac.uk](mailto:Bradford.Campus.Safeguarding@scholarsschool.ac.uk)
4. [Birmingham Campus: Safeguarding.Birmingham@scholarsschool.ac.uk](mailto:Birmingham.Campus.Safeguarding@scholarsschool.ac.uk)
5. [London Campus: Safeguarding.London@scholarsschool.ac.uk](mailto:London.Campus.Safeguarding@scholarsschool.ac.uk)

. In the case of staff, they can contact the Human Resource Department using the following address:
hr@scholarsschool.ac.uk

19.0 Data Collection and Reporting

19.1 SSS has designated safeguarding representatives (Centre Managers/SSE Leads) on each campus, who are responsible for reporting the safeguarding matters to the designated safeguarding representative at the institution's headquarter (Birmingham).

19.2 All data collected from the respective campuses are stored centrally on CRM or MS Teams, including notes stipulating clearly the type and nature of the safeguarding concerns

19.3 The data collected and stored are analysed and reported at the Quarterly Review Meetings held by the degree awarding body (LTU), including the outcomes and remedial actions taken to address the bullying, harassment and sexual misconduct concerns

19.4 The data collected and stored is also captured and reported in the Programme Annual Report (PAR) as well as the Collaborative Partnerships Annual Report (CPAR)

19.5 The data collected and stored on CRM and/or MS teams is only accessible to designated individuals in accordance with GDPR rules/regulations and strictly confidentially.

19.6 The data collected, stored and analysed are also reported to the Academic Board Meetings – quarterly and annually

19.7 The data of all cases, including their outcomes and actions will be reported to OfS annually.

19.8 The data collected will be stored and managed in accordance with data protection (GDPR) laws.

20.0 Monitoring and Continuous Improvement

20.1 SSS seeks to establish a robust mechanism for monitoring and reviewing all policies via a policy review panel. The panel will be tasked with the responsibility of monitoring government regulatory changes; and reviewing feedback obtained from complainants, respondents, staff and students, whose responsibility will be to review all policies annually. As a result, every policy is completed using a version control box indicating the timeline for review.

20.2 Every policy goes through the QA department for auditing and vetting annually. To ensure robustness of the review process, it is also subjected to further reviews through relevant committees and by extension, the Quality Audit Committee.

20.3 The reviewed policies are then reported to the Academic Board for final comments and feedback, including request for approval.

21.0 Additional Support – Collaboration with External Partners

Students and staff will receive support and guidance about additional options available to them, beyond the receipt of SSS support, including

21.1 Disciplinary Procedure for Students:

21.2 Disciplinary/Grievance Procedure for Staff and/or

21.3 The Police

21.4 Sexual Assault Referral Centres (SARCs): <https://www.theelmssarc.org/>

21.5 Charities, for example, Survivors UK: <http://www.survivorsuk.org/> Samaritans: <https://www.samaritans.org/>

21.6 Staff or students will be given the choice to determine whether they want to share their information/report with other external support services for consideration, for example, law enforcement, charities or SARCS. They can choose to select further action at any point, not just at the point of the initial report submission. Any action taken will be in accordance with LTU/SSS policy and procedure

21.7 This Policy does not limit or restrict any individual from engaging with other services directly.

22.0 Other Policy considerations

22.1 Given the intricate nature of the Bullying, Harassment, and Sexual Misconduct Policy and its connection to other institutional policies, it is essential for this policy to be reinforced and used in tandem with other policies. As a precursor to this policy, it is important to emphasise that intimate personal relationships between staff and students at the Scholars School System are strictly prohibited. This prohibition includes on-campus relationships or situations where students are representing the institution individually or as part of a team/group at scheduled events or activities, especially when such events occur off-campus. These measures are designed to prevent conflicts of interest and safeguard students from potential abuse of power. However, this prohibition excludes circumstances where the student and staff are already married couples before joining the institution.

22.2 This policy also extends to all virtual interactions, including email and social media, regardless of whether personal or official platforms are used. Furthermore, students are reminded to adhere to the institution's ICT policy [IT Security Policy.docx](#), which provides clear guidance on the acceptable use of technology and associated limitations. Other associated policies include the following:

22.3 Staff Disciplinary policy: [Disciplinary_Policy_SSS_12_2024.docx](#)

22.4 Complaints policy: [Staff Complaint Policy SSS 2024.docx](#)

22.5 Employee Code of Conduct policy: [Employee Code Conduct Policy SSS 01 2024.docx](#)

22.6 Equality, Diversity and Inclusion policy: [Equality Diversity and Inclusion Policy.docx](#)

22.7 Safeguarding policy: [Safeguarding_SSS_2024.docx](#)

Control Panel

Document Control Box	
Policy/Procedure Title:	Bullying, Harassment and Sexual Misconduct Policy
Date Approved:	June 2025
Frequency of Review:	Annual
Availability	Public
Policy Owner:	Quality Assurance
Approving Committee:	Corporate and Academic Board
Lead Contact:	Dr. Sheku Kakay
Contact details:	Sheku.kakay@scholarsschool.ac.uk
Next Review Date:	May 2026