

Preventing Sexual Harassment and Sexual Violence at East Sussex College 21/22

East Sussex College is committed to maintaining an environment for study and work which is free from sexual harassment and sexual violence of any kind.

East Sussex College has a zero-tolerance approach to sexual harassment and sexual violence. It is never acceptable, and it will never be tolerated. See Keeping Children Safe in Education.¹

This document explains what to do if you, or someone you know, has been sexually harassed or assaulted. This advice is for all staff and students but also includes visitors, contractors and community providers based on college premises.

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1. What is sexual harassment and sexual violence?

Nobody should be subjected to sexual harassment or sexual violence. No-one has the right to sexually harass others.

Definitions:

- **Sexual harassment** is a broad term, including many types of unwelcome verbal and physical sexual attention. Sexual harassment may be physical, written, verbal, non-verbal, online or via social media. It includes unwanted **sexual attention**: unwanted touching, hugging, stroking, kissing and relentless pressure for dates or sexual behaviour. Sexual harassment can happen face to face or online as well as on and off campus. It is especially serious if continued after it has been made clear that the behaviour is unwanted.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100726/0/Keeping_children_safe_in_education_2021.pdf

- **Sexual violence** is a general term to describe any kind of unwanted sexual act or activity, including rape, sexual assault, sexual abuse, and many others.
- **Sexual assault** refers to a range of criminal acts that are sexual in nature, often physical, that occurs without the consent of the victim. This may include unwanted touching and kissing, to rubbing, groping, or forcing the victim to touch the perpetrator in sexual ways.
- **Bullying** is the repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face-to-face or through electronic means (cyberbullying), and comes in many different forms such as verbal, physical, and emotional.

Unlike bullying, harassment is legally defined in the UK and included as a form of discrimination in the Equality Act (2010)²

- **Sexual harassment, sexual violence and bullying** might be a series of different behaviours, repeated forms of the same unwanted behaviour or a one-off incident.

The following non-exhaustive list gives **examples of behaviour that may also constitute sexual harassment or bullying:**

- offensive or inappropriate comments, body language, jokes, or ‘banter’
- threats to disclose, or disclosing, private or personal information, including photographs
- comments or posts on social media that are abusive, offensive, or intimidating
- **Stalking** involves behaviours towards a person that make them feel unsafe. Someone who stalks may know the victim, be a former partner or never have met them. The more common examples of stalking are following a person home, following a person around, between or to/from campus, sending or leaving them unwanted and repeated messages, bullying them on social media or making intrusive or unwanted visits.

Interpersonal relationships between individuals can also be abusive without a sexual element to the behaviour. They may involve bullying or coercive behaviours which are used to maintain power or control. While this might include sexual abuse and/or bullying, it can also include emotional, financial, or physical abuse, threats, isolation, or intimidation.

² <https://www.legislation.gov.uk/ukpga/2010/15/section/26>

2. If you have experienced sexual harassment or sexual violence

If you have been sexually harassed or assaulted, you can choose to

- talk to a **Wellbeing Advisor** at College
- seek emotional support from a Wellbeing Advisor or external agency
- **report harassment** to the College via your Study Programme Tutor, teacher, or trusted member of staff
- **report** to the police

It is your choice which of these you do. **All reports** of sexual harassment and misconduct will be **taken seriously**. Victims will be **listened to, supported, and kept safe** by the College. See Keeping Children Safe in Education 2021³. Talking to a Wellbeing Adviser does not commit you to doing anything else. However, the College will encourage a young person to seek support from home and/or the Police if appropriate. In addition, if the College thinks that the young person or others are at risk of immediate harm, then it might decide to contact home and/or the police. **If someone under the age of 18 has been raped, it must be reported to the Police.**

3. Wellbeing Advisers and other sources of support

All members of college, staff and students can seek advice from:

- the Safeguarding Manager
- the Wellbeing Team

A member of staff should do one of the following:

- phone the Safeguarding Manager using the **emergency number** on the back of their lanyard
- email the Safeguarding Manager and/or Wellbeing Team for support and advice
- record what they have been told on Pro Monitor under '**Confidential Comments**'

Students can also seek advice from:

- their Study Programme Tutor
- a teacher or trusted member of college staff

If you have witnessed sexual harassment or violence, please report the incident to one of the above. For 24 hour emergency support, please see the College Safeguarding page for advice at <https://www.escg.ac.uk/support/safeguarding/>

³https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100726/0/Keeping_children_safe_in_education_2021.pdf

4. Emotional support

The Wellbeing Team are available whether you decide to report the sexual harassment or violence formally and can provide emotional support if you have been sexually harassed or assaulted.

There are several external agencies who are also able to offer support. The Wellbeing Team will discuss the most appropriate referral with the young person.

The College has a responsibility to support and protect the victim and the alleged perpetrator as well as any other people who were involved and/or impacted by the incident.

5. Informal reports

Anyone can report any type of bullying, sexual harassment, or sexual violence to the College. You can talk to, phone or email one of the following:

- The Safeguarding Manager
- Wellbeing Advisor
- Your Study Programme Tutor
- A trusted member of staff

You can talk to a Wellbeing Advisor to get advice without needing to take it further. However, if the College thinks that you or others are at risk of immediate harm, then it might decide to contact home and/or the police.

6. Reporting sexual harassment or sexual violence formally

All reports of sexual harassment and sexual violence will be **taken seriously**. Victims will be **listened to, supported, and kept safe** by the College.

A student will **never be disadvantaged for raising a complaint** that they believe to be genuine. If you raise a complaint against a staff member, the College will ensure that you will not be assessed by or taught in a small group by that person. Again, the Wellbeing Advisers can talk to you about this.

7. Reporting procedures: an overview

This is an overview of the different processes that would be followed when sexual harassment or sexual violence is reported. The wishes of the victim will be considered but this will be balanced with the college's duty and responsibilities to protect other young people.

Each situation will be managed sensitively on a case by case basis and could involve one or more of the following. See Part 4 of **Sexual violence and sexual harassment between children in schools and colleges**⁴:

1. **Managed internally** – using the Student Management Policy and/or staff Code of Conduct with wellbeing support
2. **Early help** – providing support as soon as a problem emerges for both the victim and the perpetrator. See Chapter 1 of **Working Together to Safeguard Children**⁵
3. **Referral to children's social care** – referring a young person who has been harmed or is at risk of harm or immediate danger
4. **Contacting the police** – reporting a rape, assault by penetration or sexual assault

i. Students reporting sexual harassment or sexual violence by a student

If you are a student who has experienced sexual harassment or sexual violence by a fellow student, the complaint will be dealt with by the College. The approach will be the same whether the student harassing you is at this or any other College.

You can talk to, phone or email one of the following who will listen to you. You do not have to do anything else:

- The Safeguarding Manager
- Wellbeing Advisor
- Your Study Programme Tutor
- A trusted member of staff

⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999239/SVSH_2021.pdf

⁵https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf

ii. Students reporting sexual harassment or sexual violence by a college staff member

If you are a student who has experienced sexual harassment or sexual violence by a college staff member, the complaint will be dealt with by the College.

If the complaint is about a teacher, you will not be taught by them during the investigation.

iii. If you are a student and have been accused of sexual harassment or sexual violence

If you've been accused of sexual harassment or sexual violence, the Wellbeing Team will support you throughout the process.

8. Reporting to the police

Sexual harassment, assault and rape are serious criminal offences. You can choose to report them to the police, who have the authority and resources to investigate. You can report an offence at any time, including many years after the event.

If you report a matter to the police, you can still **report it to the College**. The College can take precautionary action whilst the police investigate. This will **prevent the other person from having any contact** with you.