

# ITALIA CONTI

## **Harassment, Sexual Misconduct and Sexual Violence Policy**

Version	2526-1.1
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Approved by:	Policy Steering Group
Approval date:	16 <sup>th</sup> June 2026
Next review:	15 <sup>th</sup> June 2027

This policy will be reviewed & approved by the Policy Steering Group annually.

## **Harassment, Sexual Misconduct and Sexual Violence Policy**

This Policy has been drafted in accordance with the UK's Guidance<sup>1</sup> for Higher Education Institutions on How to Handle Alleged Student Misconduct Which May Also Constitute a Criminal Offence, and the OIA's Good Practice Frameworks for Handling Student Complaints and Academic Appeals<sup>2</sup>, and for Disciplinary Procedures<sup>3</sup>, and has been informed by good practice from across the sector. It has also been drafted in line with OfS guidance and requirements for conditions of registration, E6. Resources and information<sup>4</sup> from Rape Crisis England and Wales have also informed the content of this Policy and its procedures.

- 1. Purpose .....4
- 2. Scope.....4
- 3. Policy Statement, Definitions and Terminology .....6
  - 3.1 Policy Statement.....6
  - 3.2 Definitions .....6
  - 3.3 Terminology .....11
- 4. Principles .....11
- 5. Procedure.....14
  - 5.1 Reporting of an Incident .....14
  - 5.2 Initial Support Meeting and Early Investigation.....16
  - 5.3 Precautionary Measures Prior to Disciplinary Action.....17
  - 5.4 Formal Disciplinary Process: Investigation .....18
  - 5.5 Formal Disciplinary Process: Harassment and Sexual Misconduct Panel .....19
  - 5.6 Appeal.....22
  - 5.7 Completion of Disciplinary Procedure .....24
- 6. Non-Disclosure Agreements .....25
- 7. Links to other Policies & Procedures.....25
- 8. Links to Support Organisations and Networks .....26
  - 8.1 Community Support Available and Reporting .....26
  - 8.2 National Support Available and Reporting.....26
  - 8.3 Helplines.....26

## 1. Purpose

- 1.1 Italia Conti is committed to promoting a culture of mutual respect and support in which any incidents of harassment, sexual misconduct or sexual violence will not be tolerated and will be thoroughly addressed to ensure the preservation of a safe work and study environment. All members of Italia Conti have a responsibility for creating a community that is based on dignity and respect.
- 1.2 Italia Conti takes seriously reports of harassment, sexual misconduct and sexual violence and recognises the mental and physical wellbeing impact of these offences upon those who have experienced such conduct. This Policy is to be used when Italia Conti receives an allegation that a student or member of staff may have perpetrated harassment, sexual misconduct or sexual violence.
- 1.3 Italia Conti recognises the significant impact of all experiences of harassment, sexual misconduct and sexual violence, and acknowledges the potential detriment to studies and employment, regardless of when the experience occurred. Harassment, sexual misconduct and sexual violence can be experienced by any individual, with females, members of the LGBTQIP2SAA (lesbian, gay, bisexual, transgender, questioning, queer, intersex, pansexual, two-spirit (2S), androgynous and asexual) community and individuals with disabilities being disproportionately affected by experiences of sexual violence.
- 1.4 As a community, Italia Conti
  - Will not tolerate any form of sexual assault, sexual misconduct or harassment.
  - Will promote an open culture and encourage reporting of incidents and concerns.
  - Will respond to all reported incidents in a supportive and constructive manner, investigating as appropriate, and applying sanctions where necessary.
  - Will take our duty of care to our students and staff very seriously. We believe that no person should suffer the effects of sexual assault or sexual misconduct alone and will ensure that there is appropriate specialist support available.
- 1.5 In the operation of the processes under this Policy, Italia Conti will remain mindful of its legal obligations, including its obligations under the Equality Act 2010 which include amongst others, the duty to make reasonable adjustments.

## 2. Scope

- 2.1 This Policy applies to all students registered on any Italia Conti course, members of staff, and those who are neither members of staff nor students (who are reporting an Italia Conti student or member of staff for harassment, sexual misconduct or sexual violence). The Policy shall apply at all times during the student's registration with Italia Conti and will not be restricted to conduct or other issues arising during term time or on the college premises, or in respect of Italia Conti itself or Italia Conti-related activities.

2.2 This Policy also applies to staff of Italia Conti; allegations regarding behaviour on the part of staff that may be considered to constitute a potential breach of this Policy may be raised by any individual under these procedures and will be referred to the relevant HR process as necessary, including the Staff Sexual Harassment Policy.

2.3 For the purpose of this policy:

**A student** means any current diploma, undergraduate, taught postgraduate or postgraduate research student whether full time or part time, regardless of whether they study on campus, off campus or online. It includes students who have deferred or who are intermitting their studies, students on short courses, and prospective applicants applying to join the Italia Conti community as a student.

**A member of staff** means all permanent, temporary, and volunteer staff employed by the school, regardless of whether they are employed in an educational, artistic or other capacity.

**A freelance contractor**, which includes guest tutors, directors, choreographers, musical directors, stage management and other creatives must follow the guidance in this policy for staff members to protect their interests and ensure professional conduct and safeguarding practices are observed.

2.4 Where this Policy concerns alleged misconduct by a student, the disciplinary process will normally be overseen by the Principal (or a nominee appointed by the Principal.)

2.5 The Wellbeing and Safeguarding Team will normally coordinate wellbeing and safeguarding support, risk assessment information and administrative support.

2.6 Where a matter concerns staff conduct, staff professionalism or staff casework, it will normally be managed in consultation with the COO and/or HR Director and may be referred to the relevant staff procedure.

2.7 Where a matter concerns the Principal or CEO, it will be referred to the Chair of the Board of Directors or another Board-nominated person.

2.8 A person responsible for overseeing a process under this Policy may appoint an Early Investigation Officer, Investigating Officer, panel members, panel chair or other case support roles as required. A person may sit on, chair or determine a panel or appeal only where they have had no prior material involvement in the substance of the case and no conflict of interest. Administrative or procedural oversight will not normally amount to material involvement.

2.9 Italia Conti expects all students and staff to read and be familiar with this Policy and maintain good conduct at all times whilst on Italia Conti premises, or engaged in any course-related activities, including in external environments and outside performances.

Italia Conti's jurisdiction under this Policy and procedures is not limited to acts which took place on its own premises.

**If you have suffered harassment, sexual misconduct or violence, or if you have concerns about a person or a situation, please raise the matter with our Safeguarding and Wellbeing Team in person or by email: [Safeguarding@italiaconti.co.uk](mailto:Safeguarding@italiaconti.co.uk) or by phone: 01483 322220. You can also contact [speakup@italiaconti.co.uk](mailto:speakup@italiaconti.co.uk) anonymously.**

### **3. Policy Statement, Definitions and Terminology**

#### **3.1 Policy Statement**

- 3.1.1 All Italia Conti students are expected to adhere to the standards of behaviour required of them as a member of the college community. Italia Conti has a range of policies and procedures in place to manage breaches of the student Code of Conduct or other codes of practice. Where more than one policy or procedure may apply, Italia Conti will identify and record the appropriate route, taking account of the nature of the allegation, safeguarding considerations, staff/student status, procedural fairness and the need to comply with this Policy.
- 3.1.2 All students at Italia Conti should be protected from harassment, sexual misconduct and sexual violence by other students, staff and visitors.
- 3.1.3 Italia Conti holds a single comprehensive source of information for Italia Conti students which is accessible via the [Harassment, Sexual Misconduct and Violence Dashboard on the Italia Conti website here.](#)

#### **3.2 Definitions**

This section sets out definitions of harassment, sexual misconduct, and sexual violence, and gives examples of behaviours that would breach this Policy.

##### **3.2.1 Definition of Sexual Misconduct under this policy of Sexual Misconduct under this Policy**

Sexual misconduct is any unwanted conduct of a sexual nature. It can occur in person, online (for example, by email, messages or on social media), by letter, telephone or text, or otherwise. Sexual misconduct includes, but is not limited to:

- Rape, i.e. sex without consent, as defined within the Sexual Offences Act 2003.
- Sexual assault: sexual touching of another person without their consent (including kissing); or engaging or attempting to engage in a sexual act with another individual without consent; or any unwanted physical sexual advances.
- Touching inappropriately through clothes without consent.

- Exposing or inappropriately showing intimate parts of the body to another person, in person or through online means.
- Recording intrusive, intimate or explicit images or recordings of a person without their consent,
- Sharing intrusive, intimate or explicit images or recordings with third parties without consent, including online/via social media.
- Creating, disclosing or threatening to disclose nude, sexual or sexually explicit photos, films or messages without consent and with intent to cause distress.
- Sending emails or messages containing sexual content and/or asking for sexual favours.
- Implied or open threats, coercion, intimidation, or promising payment or benefits in kind to gain sexual favours or gratification.
- Grooming behaviours (e.g., isolating someone so they are dependent academically and emotionally; buying someone presents or repeatedly insisting on paying for them to create a power imbalance).
- Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to other people, for example, those who have experienced sexual violence, such as inappropriately themed social events or initiations.
- Gaslighting (i.e. manipulating someone by psychological means or seeking to sow seeds of doubt in a targeted individual or in members of a targeted group, making them question their own memory, perception, and/or sanity, using persistent denial, misdirection, contradiction, and lying).
- Sexual harassment: unwanted conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others, including making unwanted remarks of a sexual nature.
- Verbal harassment such as whistling, catcalling, or sexual innuendo.
- Spreading rumours about a person's sex life.
- Nonverbal harassment, such as looking someone up and down or displaying pictures of a sexual nature.

### 3.2.2 **Definition of Consent under this policy of Sexual Misconduct under this Policy**

**Consent** is where a person willingly agrees to something, and that person has both freedom and the capacity to make their own decision. In particular:

*“The agreement by choice to participate in an act (including, but not limited to, a sexual act) where the individual has both the freedom and capacity to make that decision.”*

Consent cannot be assumed on the basis of any previous sexual or other encounter (including in a previous or ongoing relationship), or previously given consent, or from the absence of complaint. Each new encounter requires a reconfirmation of consent as the foundation of a healthy and respectful sexual relationship. Consent may be given to one form of sexual or other activity but not to another. Consent may be withdrawn at any time during sexual or other activity and each time activity occurs.

- Silence, or a failure to say no or otherwise resist, is not consent.
- Consent cannot be assumed on the basis of a previous sexual experience or previously given consent. Each new sexual act requires a re-confirmation of consent.
- Once given, consent may be withdrawn by the individual at any time, including during a sexual act.
- A person cannot give consent if they do not have capacity to consent. A person may not have capacity to consent due to their age, or due to a mental or developmental disability, or because of intoxication (e.g. being drunk or on drugs). A person that is asleep, not fully conscious (e.g. unconscious, semi-conscious, or in a state of intermittent consciousness), or in any other state of unawareness does not have capacity to consent.
- A person's consent is not valid if they have been coerced, forced, threatened, intimidated, misled or pressured into doing something, expressly or otherwise. Lying to a person about a sexual act, for example by saying you will wear protection and then failing to do so, may also void consent.
- An imbalance of power can undermine consent. Given the inherent imbalance of power in the academic context, the University strongly discourages intimate relationships of any kind between staff and students. Further information on relationships between members of the Italia Conti community can be found in the Italia Conti's *Personal Relationships Policy*.
- Consent is further defined as "if [a person] agrees by choice and has the freedom and capacity to make that choice." This can be considered in two stages:
  - ◊ whether a Reporting Party had the capacity (i.e., the age and understanding) to make a choice about whether to take part in the sexual activity at the time in question; and
  - ◊ whether they were in a position to make that choice freely and were not constrained in any way. The question of capacity to consent is particularly relevant when a complainant is intoxicated by alcohol or affected by drugs, or is asleep, unconscious, semiconscious, in a state of intermittent consciousness or any other state of unawareness that a sexual act may be occurring.

### 3.2.3 Definition of Harassment under this Policy

**"Harassment"** (as defined by section 26 of the Equality Act 2010) includes unwanted behaviour or conduct, which has the purpose of affecting or 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:<sup>1</sup>

- Age
- Disability
- Gender reassignment

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<sup>1</sup> OFS statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education

- Race
- Religion or belief
- Sex
- Sexual orientation

“**Harassment**” (as defined by the Protection from Harassment Act 1997) is a course of conduct carried out on at least two occasions that harasses one other person, or a course of conduct that harasses two or more people at least once each. This includes alarming the person or causing them distress.

- Harassment may include domestic violence and abuse (which can also involve control, coercion, threats), and stalking.
- Harassment may include domestic violence and abuse (which can also involve control, coercion, threats), and stalking.
- A single incident can amount to harassment.
- Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a protected characteristic under the Equality Act 2010.
- Harassment may still occur even where there is no motive or intention on the part of an individual to harass another. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- Italia Conti would also consider harassment to include hate crimes, 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; religion or perceived religion; sexual orientation or perceived sexual orientation; or transgender identity or perceived transgender identity.

#### 3.2.4 **Sexual Harassment under this policy includes, but is not limited to:**

- Sexual harassment (as defined by section 26 (2) of the Equality Act, 2010)
- Unwanted contact which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual Harassment and the Law, 2017)
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual Harassment and the Law, 2017).
- Distributing private and personal explicit images or video footage of an individual without their consent.

Examples may include:

- Verbal harassment such as whistling, catcalling, or sexual innuendo.
- Making unwanted or inappropriate remarks of a sexual nature.
- Spreading rumours about a person’s sex life.
- Nonverbal harassment, such as looking someone up and down or displaying pictures of a sexual nature.
- Sending emails or messages containing sexual content and/or asking for sexual

favours.

- Sharing private sexual materials of another person without consent, including online/via social media;
- Inappropriately showing sexual organs to another person.
- Sexual intercourse or engaging in a sexual act (including kissing) without consent.
- Attempting to engage in a sexual act without consent.
- Creating, disclosing or threatening to disclose nude, sexual or sexually explicit photos, films or messages without consent and with intent to cause distress.
- Touching inappropriately through clothes without consent.
- Coercive demands for favours (including sexual favours).
- Gaslighting (i.e. manipulating someone by psychological means or seeking to sow seeds of doubt in a targeted individual or in members of a targeted group, making them question their own memory, perception, and/or sanity, using persistent denial, misdirection, contradiction, and lying).
- Grooming behaviours (e.g., isolating someone so they are dependent academically and emotionally; buying someone presents or repeatedly insisting on paying for them to create a power imbalance).

Italia Conti recognises that harassment, sexual misconduct and sexual violence encompass a broad spectrum of behaviours that often cannot be divorced from other types of gender- based violence including intimate partner violence or domestic abuse, coercive and/or controlling behaviour, and stalking.

Further examples of unacceptable behaviour might be:

- Domestic abuse and coercive or controlling behaviour.
- Psychological, physical, sexual, financial and/or emotional abuse.
- Stalking and obsessive behaviour.
- Repeated, persistent and intrusive behaviour causing fear of violence or engenders alarm and distress in the victim.

***These examples are intended to be illustrative and not exhaustive.***

3.2.5 Any reported allegations concerning behaviour that does not fall into one or more of the above definitions, but which might reasonably fall within the broader definitions of harassment, sexual misconduct or sexual violence may be dealt with under this Policy and/or the Disciplinary (Non-Academic Misconduct) Policy, as deemed appropriate by officers of Italia Conti.

3.2.6 Our definitions include harassment, sexual misconduct and sexual violence which takes place at any meeting, including, for example, online.

3.2.7 In considering what amounts to harassment, Italia Conti takes into account our statutory duties as well as external bodies' regulatory requirements relating to academic freedom and free speech.

3.2.8 As outlined in the EHRC guidance on freedom of expression, published in February 2019, exposure to course materials that students might find offensive or unacceptable is unlikely to constitute harassment.

### 3.3 Terminology

- **Reporting Student** is an Italia Conti student reporting themselves to have experienced harassment, sexual misconduct or sexual violence by an Italia Conti student or member of staff.
- **Responding Student** is an Italia Conti student who has been reported to have perpetrated harassment, sexual misconduct or sexual violence against another student or member of staff.
- **Reporting Staff** is an Italia Conti staff member reporting themselves to have experienced sexual harassment, sexual misconduct or sexual violence by an Italia Conti student.
- **Reporting Witness** is a person reporting someone else to have experienced harassment, sexual misconduct or sexual violence by an Italia Conti student or member of staff.
- **Neither a member of staff nor a student** is a person reporting themselves to have experienced harassment, sexual misconduct or sexual violence by an Italia Conti student.
- **Reporting Party** is used to identify the applicable reporting person, neither a member of staff nor a student or Reporting Witness.

## 4. Principles

- 4.1 The core principles of this Policy and procedure are that the process is accessible, clear, proportional, timely, fair, and of benefit to the wider student experience.
- 4.2 The disciplinary process will operate in a fair and transparent manner in accordance with the principles of natural justice. It does not seek to reproduce elements of the criminal law and is not a formal legal process.
- 4.3 Italia Conti reserves the right to carry out any of its internal disciplinary processes notwithstanding that the alleged misconduct has been reported to the police. This includes but is not limited to circumstances where the police decide not to proceed with criminal proceedings or where following criminal proceedings, the defendant was acquitted.
- 4.4 Italia Conti approaches the storing and sharing of any party's data with utmost care, consideration and proportionality to ensure fair processing for all parties under Italia Conti's data protection procedures.
- 4.5 In determining an outcome to the disciplinary process, at the Harassment and Sexual Misconduct Panel hearing the case will be assessed whether the incident(s), on the balance of probabilities, contravened Italia Conti's Code of Conduct and this Policy.

- 4.6 In circumstances where insufficient evidence has been provided, Italia Conti may decide to take no further action in relation to the allegations.
- 4.7 A student or member of staff may disclose an incident(s) of harassment, sexual misconduct or sexual violence to any staff member. Disclosure involves an individual choosing to tell a member of the Italia Conti community about their experience of harassment, sexual misconduct or sexual violence. A disclosure is not a formal report under this Policy and will not lead to action being taken unless a formal report is made in accordance with paragraph 5.1.
- 4.8 All reports of sexual harassment, sexual misconduct and sexual violence will go through the initial stage (see Appendix A: Initial Stage - Initial Support Meeting and Early Investigation), which provides a consistent approach to supporting individuals, including the Reporting Party/Parties and the Responding Student, and Italia Conti staff, in handling allegations/disclosures of sexual harassment, sexual misconduct or sexual violence. This stage is used for providing support to a Reporting Party, identifying what they would like to happen and any additional support needs, beginning an investigation where relevant into allegations raised, and determining next steps.
- 4.9 The Initial Stage applies to all allegations raised; please see Appendix A for the applicable procedures. It provides mechanisms for students that are designed as an alternative to pursuing allegations under the Non-Academic Misconduct (Disciplinary) Policy, to specifically support Reporting Parties and address student behaviours that are in breach of this Policy. The officers of Italia Conti will ultimately decide if another policy should be followed.
- 4.10 A report of harassment, sexual misconduct or sexual violence can be submitted by a student or a staff member as well as those who are neither a member of staff nor student. Additionally, a witness to an incident of harassment, sexual misconduct or sexual violence can provide an incident report to the Wellbeing and Safeguarding Team. Dependant on the amount of information and evidence relayed by a witness the Wellbeing and Safeguarding Team may either initiate an investigation or put the case on hold until further information is gathered.
- 4.11 Individuals raising allegations of harassment, sexual misconduct or sexual violence will normally be asked to report their allegations in writing and identify themselves and provide contact details. Italia Conti will not normally act in response to anonymous allegations of harassment, sexual misconduct or sexual violence, but these will be considered on a case-by-case basis. A Reporting Party who has made a report to Italia Conti that they have experienced harassment, sexual misconduct or sexual violence will be provided with information about their options in taking forward the case (e.g. investigation under this procedure, report to the police, seek informal or alternative resolution). Italia Conti will respect the Reporting Party's wishes and support them whether they wish to report to the police or not.

- 4.12 Italia Conti provides routes for students and others to submit reports anonymously through [speakup@italiaconti.co.uk](mailto:speakup@italiaconti.co.uk). Anonymous reports will be considered on a case-by-case basis, recognising that the ability to take formal action may be limited where there is insufficient information or evidence. Where appropriate, anonymous reports may still inform safeguarding action, risk assessment, and the identification of patterns or wider concerns.
- 4.13 A student who is alleged to have perpetrated an act of harassment, sexual misconduct or sexual violence (the Responding Student) will be informed of the nature of the allegation and will be given an opportunity to respond to the allegation. They will also be informed of the disciplinary process and made aware of support options available.
- 4.14 All reports of allegations which may fall within the scope of this Policy and its procedures will normally be first considered under the Initial Support Meeting and Early Investigation Stage of this Policy, including situations where the Reporting Party chooses not to report the matter to the police. This is to ensure a consistent approach and support for individuals involved in the procedure.
- 4.15 Once Italia Conti receives a report it will conduct the disciplinary process in a timely manner, aiming to complete the process within 90 working days from the start of the investigation. This timescale will depend upon the unique circumstances of each case e.g.; the process may be paused if a criminal investigation is ongoing.
- 4.16 Italia Conti will conduct its investigation into alleged harassment, sexual misconduct or sexual violence in a fair and impartial way.
- 4.17 The Reporting Parties and the Responding Student are entitled to be accompanied at any investigation meeting by a friend, relative or student representative. The accompanying person cannot be a professional legal representative who has been employed to act on the person's behalf, nor can they act in the capacity of a legal advisor.
- 4.18 An accompanying person can request permission from the Chair of the Harassment and Sexual Misconduct Panel to present questions through the Panel. The accompanying person is not allowed to question any attending Reporting Party other than via the Chair of the Panel.
- 4.19 The Reporting Student and the Responding Student are encouraged to seek advice and representation from the Italia Conti Student Reps.
- 4.20 The Responding Student has the right to appeal against any disciplinary finding or sanction. A Reporting Party can make a complaint about how the case was dealt with under this Policy in accordance with the Student Complaints Procedure.
- 4.21 Staff awareness and training: All Italia Conti staff involved in the process will act with

impartiality and with discretion.

- 4.22 Italia Conti maintains arrangements to support staff in responding appropriately to disclosures or reports of harassment, sexual misconduct or sexual violence. This includes targeted training for relevant roles, alongside clear guidance on how to listen appropriately, avoid judgement, and escalate concerns promptly to the Safeguarding and Wellbeing Team. These arrangements are kept under review.
- 4.23 Confidentiality will be maintained throughout the process in recognition of the sensitive nature of harassment, sexual misconduct and sexual violence matters. As such, information about alleged misconduct will usually only be shared with relevant individuals/entities (who may be internal or external to Italia Conti e.g., internal counsellors, witnesses, external experts from specialist agencies like Rape Crisis, Sexual Assault Referral Centres or the police) with the agreement of the Reporting Party.
- 4.24 All individuals involved in any process under this Policy must keep information that is disclosed to them as part of the process confidential, unless otherwise discussed or communicated with/by the Wellbeing and Safeguarding Team. Any unauthorised disclosure of confidential information will be considered a Policy violation and will be addressed accordingly.
- 4.25 Italia Conti reserves the right, and may be under an obligation, to share information in exceptional circumstances where such disclosure is necessary to protect any individual or the wider college community from harm, or to prevent a crime from taking place.
- 4.26 All parties will be offered support throughout the process and kept informed of the progress of the investigation where applicable. Italia Conti believes that the purpose of a disciplinary process is to help raise the standard of behaviour in its community which is for the benefit of the wider student experience.
- 4.27 Learning from cases: Italia Conti is committed to learning from reports, complaints and disciplinary cases relating to harassment, sexual misconduct and sexual violence. Anonymised themes and trends will be monitored to inform preventative measures, staff training, and ongoing review of policy and practice. Relevant learning will be considered through appropriate academic quality forums, shared with the Senior Leadership Team, and inform policy review through the Policy Steering Group.

## **5. Procedure**

### **5.1 Reporting of an Incident**

- 5.1.1 Any incidents of harassment, sexual misconduct or sexual violence can be reported in person to the Wellbeing and Safeguarding Team, with the team registering a Promonitor level 4 confidential comment. Alternatively, incidents can be reported by completing an Initial Stage report form (Appendix A1) and emailing it to the Wellbeing and Safeguarding Team directly at [safeguarding@italiaconti.co.uk](mailto:safeguarding@italiaconti.co.uk), or by reporting an

incident to a staff member who can then get in contact with the Wellbeing and Safeguarding Team. Students can request guidance from Italia Conti's Wellbeing and Safeguarding Officers on how to report incidents and get emotional support.

- 5.1.2 Italia Conti recognises that incidents concerning harassment, sexual misconduct or sexual violence are frequently nuanced and complex and can be very sensitive for all parties concerned. Wherever possible and where it is deemed appropriate, this Policy and procedures shall be used to handle such cases, as the provisions of these procedures are specifically designed to provide a flexible approach to managing and resolving such cases. However, there may be instances when officers of the Italia Conti determine that a case might most appropriately be handled under the Non-Academic Misconduct (Disciplinary) Procedure. Where a case has been dealt with under the initial support stage of the procedures under this Policy and then referred into another internal procedure, the subsequent procedure will take precedence, and all parties will be kept informed in accordance with that procedure.
- 5.1.3 Raising a complaint/allegation under this Policy or another Italia Conti policy does not prevent a Reporting Party from reporting the matter to the police at any time (even where Italia Conti's internal procedures have been concluded).
- 5.1.4 Because Italia Conti seeks to support Reporting Parties, complaints/allegations raised by third parties on behalf of a Reporting Party will not normally be considered, except where Italia Conti is satisfied that just cause and/or reasonable grounds exist to do so.
- 5.1.5 Where anonymous allegations (i.e. allegations that either do not identify the alleged Reporting Party and/or alleged Responding Student) are made, the Early Investigation Officer will complete an Initial Report. In consultation with officers of Italia Conti as appropriate, the Early Investigation Officer will determine whether there are any matters arising from the allegations that Italia Conti should endeavour to follow up, though there may be limitations to possible actions that could be taken.
- 5.1.6 On receipt of allegations that may fall within the scope of this Policy, it is for officers of Italia Conti to determine what procedural action(s) should be taken, in consultation with the Reporting Party where appropriate. Where a Reporting Party raises allegations which may fall within the scope of this Policy, they have the right to express their wishes about whether they want any action to be taken. In determining this, officers of Italia Conti may afford a reasonable period of time to allow the Reporting Party to reach a decision about whether they are seeking any action to be taken (including the nature of any action), though the circumstances and any relative urgency of the case may affect the length of the period, if any, that can be offered.

## 5.2 Initial Support Meeting and Early Investigation

- 5.2.1 On receipt of a report under paragraph 3.1.1, the Wellbeing and Safeguarding Team will refer the matter to the Initial Stage of this procedure as detailed in Appendix A to establish whether there are prima facie grounds to institute the formal disciplinary process.
- 5.2.2 The Initial Support Meeting and Early Investigation stage prioritises welfare, safeguarding and support and is intended to reduce the burden on individuals to engage with formal processes at an early stage. This support is provided independently of any decision about disciplinary action and continues regardless of whether an investigation is initiated. Where sufficient information is available to identify a potential risk to individuals or the wider community, Italia Conti may initiate investigative or disciplinary processes as part of its zero-tolerance approach, without requiring the Reporting Party to pursue a formal complaint. Decisions about next steps are informed by risk assessment and kept under review.
- 5.2.3 Following completion of the Initial Stage, the Early Investigation Officer will prepare an Initial Stage Report which will set out their recommendation as follows:
- that there is no case to answer and no further action should be taken;
  - that the case should be referred for formal investigation under this Policy (paragraph 5.4);
  - that the case should be referred to be dealt with under another relevant student policy e.g., the Non-Academic Misconduct (Disciplinary) Policy;
  - that the case should be referred to Italia Conti's HR procedures (where the allegation relates to a member of staff).
  - The Principal (or nominee) will review the Initial Stage Report and decide the next steps where the matter concerns alleged misconduct by a student. The decision will be made in consultation with the Wellbeing and Safeguarding Team, DSL, COO, HR Director or CEO where appropriate. Where the matter concerns a member of staff, the next steps will be considered with the COO and/or HR Director under the relevant staff procedure.
- 5.2.4 Details of the Principal's, or their nominee's decision and a copy of the Initial Stage Report will be sent to the Responding Student and Reporting Parties within five [5] days of the decision.
- 5.2.5 Where a case is referred to be subsequently managed under another student policy, those procedures will take precedence and Responding Students will be informed of their rights and opportunities to make representations in accordance with the procedures under those other policies.

### 5.3 Precautionary Measures Prior to Disciplinary Action

- 5.3.1. At times it may be necessary to mitigate risk and protect the Italia Conti community by applying precautionary measures prior to the commencement of, or during, the disciplinary process
- 5.3.2. Any such action is a precautionary measure only; it is neither a penalty nor sanction and does not indicate that Italia Conti has decided that the Responding Student has committed any misconduct. Its aim is to protect all members of the Italia Conti community. Precautionary measures can be imposed prior to an investigation starting or at any time during the process.
- 5.3.3. The Principal, or authorised nominee, will normally make the decision on whether to apply precautionary measures. The Principal, or nominee, together with another appropriate officer of Italia Conti (e.g., the Designated Safeguarding Lead, Duty Manager or senior member of staff) will undertake a risk assessment and complete the risk assessment form (Appendix B) and precautionary measures request form (Appendix C) before a decision is made. If the Principal, or nominee, reasonably believes that a student against whom an allegation of harassment, sexual misconduct or sexual violence has been made does pose a risk, they may:
- Restrict the student's access to certain parts of campus, e.g. particular buildings or residential halls.
  - Restrict the student's participation in specified academic and/or non-curricula activities.
  - Restrict who the student can contact (e.g., a no-contact order may be issued).
  - Suspend the student. Suspension means that the student is prohibited from participating in the academic activity of Italia Conti and the student's registration on their programme of study is put on hold. A suspension is usually applied together with an order of exclusion.
  - Exclude the student. Exclusion means that the student is prohibited from taking part in college activities, using Italia Conti facilities and/or entering Italia Conti premises. A full or partial exclusion may be put in place where appropriate.
- 5.3.2 As part of their determination, the Principal or their nominee will consider whether specific arrangements can reasonably be put in place for any student subject to precautionary action in order to minimise the impact on their studies and will liaise with the student's Course Leader and the Designated Safeguarding Lead, and another senior of Italia Conti as appropriate.
- 5.3.3 The Responding Student will be informed in writing when a precautionary measure has been applied in their case, and the reasons for this, normally within two working days of the decision.
- 5.3.4 The Responding Student has the right to appeal against the precautionary measures applied to them. The Responding Student can appeal against the precautionary

measures at any point by writing to the Principal or their nominee expressing their reasons for the appeal. The appeal will be considered by a person who had no prior material involvement in the decision to impose the precautionary measures.

- 5.3.5 Where the Principal or nominee made or materially approved the measure, the appeal will normally be considered by the CEO or another senior nominee with no prior material involvement. Where the CEO is conflicted, the appeal will be referred to the Chair of the Board of Directors or another Board-nominated person. The Responding Student will normally be notified in writing of the appeal decision within five working days.
- 5.3.6 Any precautionary measures will be reviewed at regular intervals (and a minimum of every three months) to consider whether they should be revoked, extended or the terms amended. In the case of Italia Conti awaiting the outcome of any criminal proceedings or investigations the precautionary measures are likely to remain in place for the duration.
- 5.3.7 If a Responding Student breaches the precautionary measures applied to them, then they may be subject to further disciplinary action and/or any breach will be considered and addressed during the Harassment and Sexual Misconduct Panel hearing.

#### **5.4 Formal Disciplinary Process: Investigation**

- 5.4.1 Allegations of harassment, sexual misconduct and sexual violence will be investigated through a formal disciplinary process.
- 5.4.2 An Investigating Officer will be appointed by the Principal or nominee, unless a conflict route applies. The Investigating Officer must be able to act impartially and should have had no prior material involvement in the substance of the case. Where complete separation is not practicable because of the size or structure of Italia Conti, the reason for the appointment will be recorded and reasonable steps will be taken to ensure the process remains fair.. The Investigating Officer should not know or be aware of any party involved in the formal disciplinary process.
- 5.4.3 The role of the Investigating Officer is to gather the facts of the alleged incident(s). The Investigating Officer will:
- review the allegation and the evidence and/or witness statements provided at the Early Investigation stage.
  - review the allegation and the evidence and/or witness statements provided at the Early Investigation stage.
  - contact the Reporting Party/Parties and invite them to discuss the case.
  - contact the Responding Student inviting them to discuss the case, so they have the opportunity to respond to the allegation.
  - collect further evidence from relevant parties e.g., witnesses
  - make any further enquiries that they deem necessary for the investigation.

- 5.4.4 The Responding Student will be given a fair opportunity to respond to any allegations raised against them, which will normally necessitate the disclosure of the identity of the Reporting Party/Parties. If the Responding Student does not take up the opportunity to speak to the Investigating Officer the disciplinary process will still proceed, and a Harassment and Sexual Misconduct Panel will still sit to hear the evidence collected. It is strongly recommended that the Responding Student engages with the Investigating Officer and the disciplinary hearing.
- 5.4.5 On conclusion of the investigation the Investigating Officer will produce a report which will include the allegations, and a summary of the evidence gathered in the course of the investigation, including copies of relevant documents and witness statements.
- 5.4.6 The Investigating Officer will report to the person overseeing the disciplinary process, normally the Principal or nominee, who will decide next steps. Where the matter raises significant safeguarding, regulatory, operational, staff conduct or reputational risk, the person overseeing the process may consult the DSL, COO, HR Director, CEO or SLT as appropriate. The decision route and reasons will be recorded. They may:
- decide that no further action should be taken;
  - decide that the matter should be dealt with informally or in accordance with another Italia Conti procedure;
  - decide that there is a case to answer, and the matter should be referred for consideration by a Harassment and Sexual Misconduct Panel (paragraph 5.5).

## 5.5 **Formal Disciplinary Process: Harassment and Sexual Misconduct Panel**

- 5.5.1 A Harassment and Sexual Misconduct Panel will be arranged for the case to be heard. This Panel will be convened with administrative support provided by the Wellbeing and Safeguarding Team. The Harassment and Sexual Misconduct Panel members will be appointed by the Principal or nominee, unless a conflict route applies.
- 5.5.2 The Chair of the Harassment and Sexual Misconduct Panel will usually be a senior member of staff, such as a member of the Senior Leadership or Senior Management Teams. Panel members will be impartial and have had no prior material involvement in the substance of the case and no conflict of interest. Where possible Italia Conti will seek to ensure the composition of the Panel reflects the diversity of the institution.
- 5.5.3 The Responding Student;
- will be notified in writing that they are requested to attend a Harassment and Sexual Misconduct Panel where their case will be heard.
  - will be provided with at least seven working days' notice of the hearing date.
- 5.5.4 The Reporting Party/Parties;
- will be notified in writing that a Harassment and Sexual Misconduct Panel has been convened to hear the case.

- will be provided with at least seven working days' notice of the hearing date.
- is likely to be called as a witness at the hearing but otherwise has no right to attend.

- 5.5.5 The Harassment and Sexual Misconduct Panel hearing will be organised and carried out through Microsoft Teams or in person, to be decided on a case-by-case basis, unless otherwise requested or deemed necessary by the Chair of the Panel or the Wellbeing and Safeguarding Team. All relevant documentation available from the Investigating Officer's report will be shared with the Responding Student and the Panel at least three working days before the hearing. The Investigating Officer will verbally present the evidence collected through their investigation to the Harassment and Sexual Misconduct Panel. The names of any witnesses must be provided to the Wellbeing and Safeguarding Team in writing at least 5 days before the hearing date so logistical arrangements can be put in place unless otherwise communicated by the Wellbeing and Safeguarding Team. If any of the witnesses are new to the case, i.e. they were not called as witnesses during the investigation, the Chair of the Harassment and Sexual Misconduct Panel will decide whether or not to admit them.
- 5.5.6 The Responding Student has the right to respond in writing to the allegations and may also invite witnesses to the hearing. If any of the witnesses are new to the case, for example they were not called as witnesses during the investigation, the Chair of the Harassment and Sexual Misconduct Panel will decide whether or not to admit them.
- 5.5.7 The Reporting Party/Parties and the Responding Student have the right to be accompanied at the hearing. The accompanying person's name must be submitted in writing to the Wellbeing and Safeguarding Team at least five working days before the date of the hearing unless otherwise communicated by the Wellbeing and Safeguarding Team. If details of the accompanying person are not provided by the stipulated date, the Chair of the Harassment and Sexual Misconduct Panel can reserve the right to refuse admission to the accompanying person.
- 5.5.8 If the accompanying person's behaviour at the hearing is deemed inappropriate, the Chair has the right to remove the accompanying person or convene the hearing to be held at a later date.
- 5.5.9 It is in the best interest of the Responding Student to attend the Harassment and Sexual Misconduct Panel hearing. If the student chooses not to appear before the Panel, the Panel has the right to hear the case in their absence.
- 5.5.10 Italia Conti strongly advises that a student attending a Harassment and Sexual Misconduct Panel hearing seeks the advice and support of the Wellbeing and Safeguarding Team.
- 5.5.11 At the Harassment and Sexual Misconduct Panel hearing the Investigating Officer and the Responding Student will have the opportunity to address the Panel. The Panel will ask questions of the Investigating Officer, Responding Student and any witnesses,

including, if appropriate, the Reporting Party/Parties. The Responding Student will have the right to ask questions of the Investigating Officer, Reporting Party/Parties and any witnesses, although may at the discretion of the Chair be required to put those questions through the Chair.

- 5.5.12 At the conclusion of the hearing, the Harassment and Sexual Misconduct Panel will discuss the case in private and will reach a decision based on the available evidence. The panel are invited to use the Panel Decision-making Matrix to aid their evaluation of the case.
- 5.5.13 The Panel will endeavour to make a decision on the same day as the hearing, but this may not always be possible. The Harassment and Sexual Misconduct Panel may make one of the following decisions:
- Dismiss the allegation as on the balance of probabilities misconduct was not found
  - Conclude that on the balance of probabilities the harassment, sexual misconduct or sexual violence took place.
- 5.5.14 If the Panel concludes that misconduct has occurred, it may:
- Take no further action
  - Apply one or more of the following sanction(s):
    - ◊ formal written warning;
    - ◊ requirement to issue a written apology;
    - ◊ requirement to attend relevant training;
    - ◊ Action Plan (ILP)
    - ◊ suspension for a specified period;
    - ◊ recommendation that the student should be recommended to the Principal for permanent exclusion from Italia Conti.
- 5.5.15 Precautionary measures cannot be continued if the student has not been found to have committed misconduct.
- 5.5.16 Should the Harassment and Sexual Misconduct Panel be unable to reach a consensus the Chair will have the determining vote.
- 5.5.17 The Chair of the Panel, through the Wellbeing and Safeguarding Team, will write to the Responding Student conveying the Panel's decision, together with reasons and any associated conditions, in writing and normally within three working days of the date of the decision. The Wellbeing and Safeguarding Team will also notify the Reporting Party/Parties of the outcome of the disciplinary process.
- 5.5.18 If the decision involves the suspension or exclusion of the Responding Student, the Vice Principals will work with the Course Leader and Wellbeing and Safeguarding Team to devise and implement a plan to support the student's study where that is possible and appropriate.

5.5.19 In the event that the Panel recommends permanent exclusion or another outcome that would materially affect the Responding Student's continuation, a full report will be submitted to the Principal or authorised nominee for final decision under the student disciplinary delegation. Where the Principal has had prior material involvement or is otherwise conflicted, the final decision will be referred to the CEO or another senior nominee with no prior material involvement. Where the CEO is conflicted, the matter will be referred to the Chair of the Board of Directors or another Board-nominated person. Where the student is registered with a sub-contractual partner, Italia Conti will liaise with the relevant university where the outcome may affect university registration, progression, award or continuation of study. References to UEL apply only to students, if any, who remain registered under UEL teach-out arrangements.

## 5.6 Appeal

5.6.1 The Responding Student can appeal against the decision of the Harassment and Sexual Misconduct Panel within ten working days of either the date of the outcome letter detailing the Panel's decision or the date of the endorsement letter confirming endorsement of permanent exclusion by the Principal.

5.6.2 The Responding Student can appeal by contacting the Complaints and Appeals Team ([speakup@italiaconti.co.uk](mailto:speakup@italiaconti.co.uk)) and detailing the reasons for their appeal. An appeal can only be made because of one or more of the following grounds:

- Italia Conti has failed to follow the procedure set out in this Policy
- the decision was unreasonable and/or a disproportionate outcome has been imposed
- the student has material new information/evidence which was not reasonably available before.
- there was bias or a reasonable perception of bias.

5.6.3 Pending the outcome of any appeal the decision and sanction of the Harassment and Sexual Misconduct Panel will remain in force.

5.6.4 The Complaints and Appeals Team will acknowledge and administer the appeal. A reviewer appointed by the Principal or nominee, who has had no prior material involvement in the case, will determine whether there are valid grounds to proceed.

5.6.5 The Responding Student will be notified within 7 working days of their appeal being received whether the Appeal Reviewer considers there are valid grounds to proceed.

5.6.6 Where valid grounds have been identified, the Appeal Reviewer will decide whether the appeal should be determined by a single reviewer or referred to a Harassment and Sexual Misconduct Appeal Panel, taking account of the nature, complexity, seriousness and potential impact of the case, any conflicts of interest, and the need for procedural fairness. The reason for using a single reviewer or an Appeal Panel will be recorded.

- 5.6.7 Where the appeal is determined by a single reviewer, the reviewer may:
- Dismiss the appeal (in whole or part);
  - Refer the appeal to an appeal panel; or
  - Uphold the appeal (in whole or part), and:
    - ◇ Refer the matter back to the same or a differently constituted Harassment and Sexual Misconduct Panel for reconsideration, e.g. if the procedure had not been followed or if material new information or evidence was made available; or
    - ◇ Impose an alternative sanction.
- 5.6.8 An Appeal Panel will normally be used where the appeal concerns termination of studies, suspension or exclusion, serious allegations, significant student detriment, disputed evidence requiring further consideration, potential safeguarding or staff conduct issues, regulatory risk, or where the outcome could materially affect the Responding Student's continuation, access to study, services or support.
- 5.6.9 Where the appeal is referred to a Harassment and Sexual Misconduct Appeal Panel, the Complaints and Appeals Team will invite the Responding Student to submit any additional evidence or written representations for consideration. The Appeal Panel may also invite the Responding Student to attend a meeting where this is necessary and proportionate, taking account of the nature of the appeal and the evidence presented. The Appeal panel may:
- Dismiss the appeal, in whole or part;
  - Uphold the appeal (in whole or part), and:
    - ◇ Refer the matter back to the same or a differently constituted Harassment and Sexual Misconduct Panel for reconsideration, e.g., if the procedure had not been followed or if material new information or evidence was made available; or
    - ◇ Impose an alternative sanction.
- 5.6.10 The Appeal Panel will normally comprise at least three people appointed by the Principal or nominee, unless a conflict route applies. Panel members must have had no prior material involvement in the substance of the case and must be able to act impartially. The panel will include a Chair and at least one member independent of the original decision-making process.
- 5.6.11 The Principal, nominee, CEO, COO, Chair of the Board of Directors or Board nominee may sit on, or chair, the Appeal Panel only where they have had no prior material involvement in the substance of the case and no conflict of interest. Administrative or procedural oversight will not normally amount to material involvement.
- 5.6.12 These panel arrangements should be read alongside the Terms of Reference and Meetings Manual. Where these Terms of Reference differ from those in the Terms of Reference and Meetings Manual, the Terms of Reference and Meetings Manual shall take priority, provided this does not remove any procedural right expressly given to a student under this Policy.

- 5.6.13 The Responding Student will be notified of the appeal outcome by the Complaints and Appeals Team within ten working days of the single reviewer's decision or the Appeal Panel's decision, where reasonably practicable. The outcome letter will set out the decision, the reasons for it, any action or sanction, and information about Completion of Procedures.
- 5.6.14 The appeal decision is final and concludes Italia Conti's internal procedures, subject to any validating university procedure that must be completed before the internal process is complete.
- 5.6.15 Where an appeal is upheld and the matter is referred back to the same or a differently constituted Harassment and Sexual Misconduct Panel for reconsideration or rehearing, Italia Conti's internal procedure will not be complete until that reconsideration or rehearing has concluded and any further appeal rights arising from the fresh outcome have been exhausted or have expired.
- 5.6.16 Following reconsideration or rehearing, the Responding Student will receive a fresh outcome letter. The Responding Student may appeal against the fresh outcome on the appeal grounds set out in this Policy, but the appeal must relate to the reconsideration, rehearing, fresh decision, fresh sanction, or any new procedural issue. The further appeal may not be used simply to repeat appeal grounds that have already been determined, unless they remain relevant to the fresh outcome.

## **5.7 Completion of Disciplinary Procedure**

- 5.7.1 If the Responding Student appeals, a Completion of Procedures letter will be issued to the student by the Complaints and Appeals Team within 28 days of the conclusion of the appeal.
- 5.7.2 Where an appeal has been upheld and the matter has been referred back for reconsideration or rehearing, a Completion of Procedures letter will not normally be issued until the reconsideration, or rehearing has concluded and any further appeal rights arising from the fresh outcome have been exhausted or have expired. If a student requests a Completion of Procedures letter before that point, Italia Conti will consider the request in line with OIA guidance.
- 5.7.3 If the Responding Student does not appeal by the end of the appeal window, the disciplinary procedure will be considered complete. The student may request a Completion of Procedures letter from the Wellbeing and Safeguarding Team.
- 5.7.4 If a Reporting Party is dissatisfied with the way Italia Conti has handled the disciplinary process they can raise a complaint through the Student Complaints Procedure.
- 5.7.5 Italia Conti recommends that any student wishing to raise a complaint seeks support from the Student Reps.

- 5.7.6 A student may be able to refer the matter to the Office of the Independent Adjudicator for Higher Education (OIA). The OIA will determine whether the matter is eligible under its scheme. Complaints must normally be received by the OIA within 12 months of the date of the Completion of Procedures letter.

## **6. Non-Disclosure Agreements**

- 6.1 Italia Conti has a zero-tolerance policy on harassment and sexual misconduct. We take allegations of possible breaches of this Policy and any allied policies very seriously and we are committed to transparency.
- 6.2 In accordance with the Office for Students (OfS) Condition E6, Italia Conti does not use, enforce, or seek to rely on non-disclosure agreements (NDAs) or confidentiality clauses in any circumstances involving allegations of harassment or sexual misconduct, including those arising from intimate or personal relationships.
- 6.3 Italia Conti is committed to ensuring that students and staff feel safe and supported in reporting concerns. No individual will be asked to sign an agreement that prevents them from speaking about their experiences, and any such clause will be considered null and void.
- 6.4 This policy reflects our commitment to transparency, accountability, and the protection of the rights and wellbeing of all members of the Italia Conti community.

## **7. Links to other Policies & Procedures**

This Policy relates to the following policies or procedures:

### **Disciplinary Policy and Procedures**

- Disciplinary Policy and Procedures
- Personal Relationships Policy
- Student Code of Conduct
- Staff Code of Conduct
- Staff Sexual Harassment Policy
- Safeguarding and Child Protection Policy
- Student Support and Wellbeing Policy
- Appropriate Physical Contact and Safe Touch Policy
- Anti-Bullying Policy Statement
- Social Media Policy
- Equality, Diversity, Inclusion (EDI) and Equal Opportunities Policy
- Staff Grievance Policy
- Complaints Policy and Procedures
- Whistleblowing Policy

Italia Conti holds a single comprehensive source of information for Italia Conti students which is

accessible via the [Harassment, Sexual Misconduct and Violence Dashboard on the Italia Conti website here](#).

Further guidance is also available in the Student Handbook and the Staff Handbook.

For procedural guidance, refer to the [Appendices](#).

## 8. Links to Support Organisations and Networks

### 8.1 Community Support Available and Reporting

[Student Union Advice Team](#)

[\(UEL\)](#)

[Sexual Assault Referral Centres](#)

[NSPCC](#)

### 8.2 National Support Available and Reporting

[The Havens Victim Support](#)

[The Survivors Trust](#)

[Survivors UK](#) (for male victim survivors of sexual assault)

[Galop](#) (LGBT+ anti-violence charity)

[Respect](#)

[Women and Girls' Network](#)

[Women Against Rape](#)

[The Survivors Trust](#)

[One in Four](#)

[Revenge Porn](#)

[Helpline Respond](#)

[Woman's Trust](#)

[National Stalking Helpline](#)

### 8.3 Helplines

The 24-hour freephone [National Domestic Abuse Helpline](#), run by Refuge, on 0808 2000 247

[The Rape Crisis](#) national freephone helpline on 0808 802 9999 (12 - 2.30pm and 7 - 9.30pm every day of the year).

**Are you in immediate danger? If you are in immediate danger, or seriously injured, you can call 999 or 101 to connect directly with the police or emergency services.**

**If you have suffered harassment, sexual misconduct or violence, or if you have concerns about a person or a situation, please raise the matter with our Safeguarding and Wellbeing Team in person or by email: [Safeguarding@italiaconti.co.uk](mailto:Safeguarding@italiaconti.co.uk) or by phone: 01483 322220. You can also contact [speakup@italiaconti.co.uk](mailto:speakup@italiaconti.co.uk) anonymously.**

## Policy Updates

Approved by: Policy Steering Group	1 <sup>st</sup> September 2023	Expiry 7 <sup>th</sup> June 2025
Reviewed and approved Amendments	6 <sup>th</sup> June 2025 Updates in line with OFS Condition E6: <ul style="list-style-type: none"> <li>• Single central source of information created and added as an appendix</li> <li>• Personal Relationships Policy created and implemented</li> <li>• Definitions of sexual misconduct and consent revised and made more explicit</li> <li>• Section on Non-disclosure agreements added in line with OFS E6 requirements. (see section 4).</li> </ul>	Expiry 6 <sup>th</sup> June 2027
Reviewed and approved amendments	18 <sup>th</sup> December 2025  <i>Sections 2.3 and 3.2 updated in line with latest OiA guidance</i>	Expiry 17 <sup>th</sup> December 2026
<p>Amended 2.3: <i>Italia Conti provides routes for students and others to submit reports anonymously. Anonymous reports will be considered on a case-by-case basis, recognising that the ability to take formal action may be limited where there is insufficient information or evidence. Where appropriate, anonymous reports may still inform safeguarding action, risk assessment, and the identification of patterns or wider concerns.</i></p> <p>Added to 2.3 Staff awareness and training: <i>Italia Conti maintains arrangements to support staff in responding appropriately to disclosures or reports of harassment, sexual misconduct or sexual violence. This includes targeted training for relevant roles, alongside clear guidance on how to listen appropriately, avoid judgement, and escalate concerns promptly to the Safeguarding and Wellbeing Team. These arrangements are kept under review.</i></p> <p>Added to 2.3 at end Learning from cases: <i>Italia Conti is committed to learning from reports, complaints and disciplinary cases relating to harassment, sexual misconduct and sexual violence. Anonymised themes and trends will be monitored to inform preventative measures, staff training, and ongoing review of policy and practice. Relevant learning will be considered through appropriate academic quality forums, shared with the Senior Leadership Team, and inform policy review through the Policy Steering Group.</i></p> <p>Amended/3.2 Support and disciplinary processes: <i>The Initial Support Meeting and Early Investigation stage prioritises welfare, safeguarding and support and is intended to reduce the burden on individuals to engage with formal processes at an early stage. This support is provided independently of any decision about disciplinary action and continues regardless of whether an investigation is initiated. Where sufficient information is available to identify a potential risk to individuals or the wider community, Italia Conti may initiate investigative or disciplinary processes as part of its zero-tolerance approach, without requiring the Reporting Party to pursue a formal complaint. Decisions about next steps are informed by risk assessment and kept under review.</i></p>		

Reviewed and approved amendments	16 <sup>th</sup> June 2026	Expiry 15th June 2027
<p>The policy has been subject to minor formatting updates to improve consistency, readability and alignment with the current policy template. Small, immaterial amendments have also been made to reflect internal staffing and reporting-line changes, including updated references to the Principal, COO, HR Director, Policy Steering Group and relevant case oversight roles. These amendments do not alter the purpose, scope, principles, reporting routes, procedural safeguards or substantive operation of the policy.</p>		