

# Sexual Misconduct Policy

<b>Version</b>	2.0
<b>Effective date</b>	August 2025
<b>Date for review</b>	August 2026
<b>Policy owner</b>	Chief Executive
<b>Reference points</b>	Office for Students (OfS) Condition E6: Harassment and Sexual Misconduct (2024) OfS regulatory guidance: prohibition of Non-Disclosure Agreements (NDAs), prevention of staff–student abuse of power, mandatory training requirements BIMM University Sexual Misconduct Policy framework and investigative procedures
<b>Audience/handling notes</b>	Institutional, Staff, Students, External Stakeholders, Public (externally facing)
<b>Dissemination and implementation plan</b>	This is a public statement, published prominently on NHAM’s website and reviewed annually as part of safeguarding compliance. Academy staff receive training on this statement during induction and via annual refreshers. It is referenced in the Staff Handbook and made available to students through the Student Handbook and induction sessions. The Chief Executive is responsible for its dissemination and implementation, as part of NHAM’s institution-wide safeguarding framework overseen by the Governance Committee.
<b>Linked Policies, Procedures and Forms</b>	Safeguarding Policy; Bullying and Harassment Policy; Equity, Diversity and Inclusion Policy; Student Disciplinary Policy; Staff Disciplinary Policy; Applicant Criminal Convictions Policy; Disclosure of Criminal Convictions Policy; Student Code of Conduct; Staff Code of Conduct; Staff Handbook; Student Handbook
<b>Date approved</b>	August 2025

## 1 Introduction

NHAM is committed to fostering a learning and working environment that is safe, respectful, and free from sexual misconduct and harassment. This policy outlines definitions, behaviours that are prohibited, responsibilities of all members of the Academy, reporting and support systems, and clear investigative processes. Our approach supports freedom of expression, equity, and personal dignity.

## 2 Purpose

This policy applies to all students, staff, contractors, visitors, and partners while using NHAM facilities, attending any Academy-related activity, or acting in an NHAM context. It covers behaviour on- and off-campus, in-person or digital, during academic and social activities. Allegations of sexual misconduct will be assessed and may invoke disciplinary action, even if criminal processes are underway.

## 3 Definitions

Sexual misconduct includes but is not limited to the following:

- **Non-consensual sexual acts:** Any sexual activity without clear consent, including situations involving incapacitation, coercion, or manipulation.
- **Sexual harassment:** Unwelcome behaviour of a sexual nature that is offensive, intimidating, or creates a hostile environment.
- **Abuse of power in staff–student relationships:** Any sexual relationship where there is a power imbalance, or where consent may not be freely given, whether or not the student is in the staff member’s programme.



- Discriminatory or sexually motivated behaviour: Conduct targeting protected characteristics under the Equality Act.
- Retaliation: Any negative treatment of someone who reports misconduct or participates in resolution processes.

## 4 Prevention and training

- NHAM will, with the support of BIMM University where applicable, aim to provide trauma-informed training for all staff and students covering consent, bystander intervention, power dynamics, reporting procedures, and support pathways
- NHAM does not use NDAs or any clauses intended to silence survivors.
- NHAM will maintain a single, comprehensive policy hub, prominently placed on its website and communicated annually in student and staff handbooks, induction, and publications.

## 5 Reporting and immediate support

**Confidential Support:** Trained staff members including Designated Safeguarding Leads (DSLs) can offer support, impartial advice, and help with making reports.

**Formal Reporting:** Reports can be made to DSLs or via an online form. All reports are taken seriously, treated sensitively, and investigated.

## 6 Investigation

### 6.1 Initial Assessment

Upon a report, the DSL determines whether to initiate a formal investigation or an informally mediated resolution. Interim safeguarding measures may be put in place if risk is assessed to be present.

### 6.2 Formal Investigation

- A trained, impartial Investigator is appointed. Both Reporting and Responding parties receive full, fair opportunity to provide evidence and response.
- The process adheres to fair procedure principles, ensuring transparency, support, and avoidance of retraumatization.

### 6.3 Disciplinary Panel

- For substantiated allegations of serious misconduct, a Sexual Misconduct Panel (including trained staff and student representatives, and senior leadership) will determine the appropriate outcome based on evidence and severity.  
Potential sanctions may include warning, suspension, or removal from NHAM.

### 6.4 Appeals

Both parties retain the right to appeal within specified timeframes. Appeals are reviewed by a panel independent of the original decision-makers.

## 7 Confidentiality

All reports and investigations will be managed with the highest regard for privacy and dignity. Information is shared only with those who need to know, in compliance with UK GDPR and safeguarding legislation.



## 8 Enforcement, Monitoring and Review

The Governance Committee will receive annual reports (aggregated and anonymised) on policy use, incident numbers, outcomes, and identified improvements. The policy will be reviewed annually, or sooner if required by new legislation or regulatory developments, and updated accordingly.

NHAM is committed to cultural change through transparency, education, and engagement with students and staff. Our public-facing materials will outline policy details, reporting routes, and support availability, fostering an informed and safe culture