

**ISTITUTO MARANGONI LONDON
SEXUAL HARASSMENT AND MISCONDUCT POLICY
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PREVENTION OF SEXUAL HARASSMENT POLICY

Introduction

Istituto Marangoni is committed to providing a positive work and study experience for all our students, tutors and employees which includes a zero-tolerance approach to sexual harassment.

This policy sets out the Istituto Marangoni's expectations of behaviour and provides approaches for dealing with complaints of sexual harassment. The aim is to protect Istituto Marangoni's community from inappropriate sexual behaviour which may include, but is not limited to, violence, grooming, misconduct and harassment.

For the purposes of this policy, the term 'Istituto Marangoni's community' includes:

- Students
- Employees
- Workers
- Self Employed Tutors
- Board members
- Visitors

1. Definitions and Scope

Sexual harassment

1.1 Under the Equality Act 2010 ('the Act') sexual harassment is defined as unwanted conduct of a sexual nature that has the purpose or effect of:

- violating someone's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment is unlawful under the Act.

1.2 Sexual harassment includes a range of behaviours including but not limited to:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life, and discussing your own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing
- criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications
- Predatory behaviour
- Coercion

1.3 Sexual interaction that is invited, mutual and consensual is not sexual harassment because it is not unwanted. An individual can experience sexual harassment from someone of the same or different sex and the recipient of the behaviour decides whether or not it is unwanted.

1.4 Sexual harassment can be a one-off event and does not need to be directed at a person. It can be witnessed or overheard. Sexual conduct that has been welcomed in the past can become unwanted.

Victimisation

It is also unlawful to treat someone less favourably because they have submitted a complaint of sexual harassment or have rejected such behaviour, or because they have supported someone else's complaint.

Victimisation of any individual making or supporting a complaint under this Policy will not be tolerated.

2. Expected Behaviour of Staff

For the purposes of this policy, use of the term “staff” or “staff member” is intended to refer to all Board members, employees, workers and self-employed Tutors.

2.1 Istituto Marangoni believes that the professional relationship of trust and confidence that exists between students and staff is a central and essential part of a student's educational development and pastoral care. Those who work for, or represent Istituto Marangoni must not abuse their position in any way. Given the inherent imbalance of power between staff and students, Istituto Marangoni strongly discourages intimate relationships between its staff and its students. Such relationships could compromise the trust and confidence that underpins the learning experience and may negatively impact on the student's educational development and pastoral care, and may in some circumstances constitute an abuse of power.

2.2 An imbalance of power can also exist between members of staff due to the different positions they hold within Istituto Marangoni. Any abuse of the professional working relationship between staff is unacceptable.

2.3 Istituto Marangoni recognises that a consensual relationship may develop between two staff members. In such cases both individuals must follow the guidance reported on the Relationships at work policy', schedule 22 of the Employee Handbook.

2.3 Istituto Marangoni recognizes that a consensual relationship may also develop between a student and a staff member. In such cases the staff member must report the relationship to their line manager as soon as possible to safeguard the student, themselves and Istituto Marangoni. Line Manager is required to report such cases to the Human Resources Manager immediately.

2.4 Sexual contact between a person aged over 18 and another person aged under 18 is unlawful. Such relationship would be considered an abuse of a position of trust between the parties. Any reported cases of any relationship between any person aged over 18 and another person aged under 18 will be dealt with accordingly.

3. Expected Standards of Behaviour for Students

3.1 Sexual harassment or victimisation by a student towards a staff member and/or another student will not be tolerated.

4. Reporting Channels

4.1 Any member of Istituto Marangoni's community is encouraged to formally report cases of sexual harassment whether they are the recipient of the behaviour or are witness to it as soon as reasonably practicable.

5. Reporting by Staff

5.1 Staff should report cases of sexual harassment to the HR department who can advise on how to proceed. This is applicable also in cases where a staff member is not directly involved but becomes

aware of sexual harassment between a colleague and a student or another staff member and advice should be sought from the HR department.

5.2 Reporting can also be done anonymously via [insert channel] if the staff member feels more comfortable in doing so. It needs to be noted that when reports are filed anonymously it is more difficult for an investigation to be carried out, therefore inserting as much details in the report is useful.

5.3 The HR team will notify the Student and Academic Services team if the complaint is against a student.

6. Reporting by Students

6.1 Students should report cases of sexual harassment to the Student and Academic Services department who can advise on how to proceed. This is applicable also in cases where a student is not directly involved but becomes aware of sexual harassment between other students, between a student and a staff member or between staff members and advice should be sought from the department.

6.2 Reporting can also be done anonymously via [insert channel] if the student member feels more comfortable in doing so. It needs to be noted that when reports are filed anonymously it is more difficult for an investigation to be carried out, therefore inserting as much as details in the report is useful.

6.3 The Student and Academic Services team will notify the HR team if the complaint is against a staff member.

7. Investigations and Actions

7.1 Any investigations into allegations of sexual harassment or victimisation by member of the Istituto Marangoni community, and/or any actions taken as a consequence of any findings of such offence(s) having been committed will be conducted under the appropriate policy:

- In the case of allegations and/or actions against an employee, Board member or worker, the applicable policy is the 'Disciplinary Procedure' policy, schedule 5 of the Employees Handbook.
- In the case of allegations and/or actions against a self-employed Tutor or a visitor, there is no formal policy. Such matters will be considered by the Human Resources department, who shall have absolute discretion to take such action as they think fit, including the ability to terminate a Tutor's contract or barring a visitor from further attendance, in each case on such terms as they think fit.
- In the case of allegations and/or actions against a student, the applicable policy is the Student Disciplinary Procedure and Student Code of Conduct.

7.2 In the event of allegations of sexual harassment which may amount to a criminal offence, the matter may be referred to the police for independent investigation. The conduct and/or conclusion of internal investigations or findings will normally be dealt with entirely separately, and without reference to any police investigations (whether ongoing or concluded).

7.3 Confidentiality will be maintained, subject to any requirement to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the person making the report, or to others.

7.4 In appropriate cases, the School Director may elect to suspend the alleged perpetrator and/or bar them from any premises and/or from contacting other individuals within the Istituto Marangoni community whilst investigations or other internal processes are ongoing, for such period, and on such terms, as they shall think fit.

8. Support and Advice for Staff

8.1 There are many sources of support available to staff prior to making a complaint or to both complainant and alleged perpetrator once a complaint has been made.

These include:

- HR department
- Line managers
- Employee Assistance Program for employees
- Mental Health First Aiders

9. Support and Advice for Students

9.1 For students, support is available via:

- The Student and Academic Services department
- The counselling service provided to students by Istituto Marangoni
- The coaching service provided to students by Istituto Marangoni

10. Related Policies and Documents

10.1 This policy should be read in conjunction with the following documents and policies:

- Students Handbook
- Student Disciplinary Procedure
- Employees Handbook
- Safeguarding Policy
- Guidance for students on sexual consent (training)

Support for anyone who has experience sexual abuse is available from:

- London Survivors <https://survivorsgateway.london/>
- Tower Hamlets
https://www.towerhamlets.gov.uk/lgnl/community_and_living/community_safety__crime_preve/domestic_violence/VAWG-Service-Directory/Support_services_for_sexual_abuse.aspx
- Victim Support <https://www.victimsupport.org.uk/resources/south-london/>
- Employee Assistance Program

Version	Date	Comments	Author
1	July 2022	First draft	HR Manager
2	March 2023	Second Draft	HR Manager
3	May 2023	Third draft	HR Manager, HR & Talent Acquisition Coordinator, and Registrar
4	April 2024	Fourth draft	HR Manager, HR & Talent Acquisition Coordinator, and Registrar