

**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 by our students, tutors and employees 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.

1. Definitions and Scope

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. It is also unlawful to treat someone less favourably because they have either submitted a complaint of sexual harassment or have rejected such behaviour. Victimisation of any individual making a complaint under this Policy will not be tolerated and will be dealt with under the Students Handbook (for students), the Tutor Handbook (for tutors) and the Employees Handbook (for staff).

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.

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

- Students
- Employees
- Tutors

For the purposes of this policy, the term 'staff includes:

- Employees
- Tutors

1.7 Sexual harassment constitutes serious misconduct and could result in dismissal (for employees and tutors) or expulsion (for students).

2. Expected Behaviour of Staff

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 student. 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 staff due to the positions they hold within Istituto Marangoni. Any abuse of the professional working relationship between staff is unacceptable and could be subject to disciplinary action.

2.3 Istituto Marangoni recognises that a consensual relationship may develop between two staff members. In such cases both employees 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.

2.4 Sexual contact between a person aged over 18 and another person aged under 18. 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 through our disciplinary procedure and could lead to dismissal.

3 Expected Standards of Behaviour for Students

3.1 Sexual harassment by a student towards a staff member and/or another student will be considered under the Student Disciplinary Procedure and action taken under this Procedure can include expulsion from Istituto Marangoni.

3.2 The Sexual Offences Act 2003 (Sections 16 to 21) sets as illegal any sexual contact between a person aged over 18 and another person aged under 18. Such relationship would be considered as 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 through our disciplinary procedure and could lead to dismissal.

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 Channels for 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.

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.

The HR team will notify the Student and Academic Services team if the complaint is against a student and will progress the complaint following the Student Disciplinary Procedure.

6 Reporting Channels for 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.

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.

The Student and Academic Services team will notify the HR team if the complaint is against a staff member and will progress the complaint following the Employees Handbook and the Tutor Handbook.

7 Investigations into Complaints or Allegations

7.1 Any investigations into allegations of sexual harassment by employees will be conducted under the 'Disciplinary Procedure' policy, schedule 5 of the Employees Handbook.

Investigations into allegations of sexual misconduct by tutors will be conducted under the [insert policy].

Investigations into allegations of sexual misconduct by students will be conducted under the Student Disciplinary Procedure and Student Code of Conduct.

7.2 Sexual harassment may also lead to a criminal investigation being instigated into the actions of a staff member or student.

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.

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
- Mental Health First Aiders

9. Support and Advice for Students

9.1 For students, support is available via:

- The Student and Academic 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
- Tutor Handbook
- 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/>

Version	Date	Comments	Author
1	July 2022	First draft	HR Manager
2	March 2023	Second Draft	HR Manager
3	May 2023	Third draft	Dina, Adriana and Diane