

University of Westminster - Combatting harassment and sexual misconduct

Introduction

At the University of Westminster, diversity, inclusion and equality of opportunity are at the core of how we engage with students, colleagues, applicants, visitors and all our stakeholders. We are fully committed to enabling a supportive and safe learning and working environment where everyone is treated with dignity and respect and which is equitable, diverse and inclusive, is based on mutual respect and trust, and in which harassment and sexual misconduct is neither tolerated nor acceptable.

This document provides information on the University's approach to tackling harassment and sexual misconduct and managing intimate personal relationships between relevant staff members (colleagues) and students. It is divided into the following sections:

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In these sections, you will find links to a range of tools, policies and procedures that we have developed to help us, and our community, to prevent and address harassment and sexual misconduct. The document sets out our core principles and approach in this area, along with the linked sources.

Finally, consistent with the University of Westminster's commitment and obligations to uphold freedom of speech and expression within the law, and our commitment to an environment in which students and colleagues have the freedom to question, test and put forward new ideas and controversial opinions without placing themselves at any risk, we will apply the principles in this document in a manner which is consistent with the freedom of speech principles, as defined below. We will have particular regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom and tolerance for controversial views. We will apply a rebuttable presumption that students being exposed to any of the following is unlikely to amount to harassment:

- the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures;
- statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course.

The University's [Code of Practice on Freedom of Speech](#) sets out in detail the provisions it applies to ensure freedom of speech within the law is secured for students, colleagues and other members of the University community.

If anyone has any questions about the contents of this single comprehensive source of information they should contact: academicstandards@westminster.ac.uk

Definitions

These are brief definitions and where relevant full definitions can be found in the associated policy documents.

- 'abuse of power' means a situation where a relevant colleague exploits a position of power in relation to a student so as to apply pressure in a way which: i. may result in the student doing something, or refraining from doing something, that they may not have otherwise done; and, ii. that action or inaction could reasonably result in something that falls within the scope of an intimate personal relationship;
- 'appropriate support' means the effective deployment of assistance, including but not limited to: i. support tailored to the needs of students involved in any way in an incident of harassment and/or sexual misconduct, including but not limited to: during an investigatory and decision-making process; ii. personal support, including in the form of counselling where appropriate; iii. academic support, including in relation to decisions about attendance, continuation, suspension or cessation of study;
- 'appropriately trained' means colleagues have and maintain: i. up-to-date understanding of the content of this single comprehensive source of information and all the requirements of the Office for Students (OfS) condition E6; ii. up-to-date understanding of behaviour that may constitute harassment and/or sexual misconduct; iii. the required knowledge and skills to support students who: wish to make allegations or complaints about harassment and/or sexual misconduct; have alleged and/or experienced incidents of harassment and/or sexual misconduct; are the actual or alleged perpetrators of incidents of harassment and/or sexual

misconduct; and iv. the required knowledge and skills to undertake investigations or make decisions in relation to incidents of harassment and/or sexual misconduct;

'colleagues' (or 'staff') means all employees of the University. The principles set out in this document also apply (as specifically qualified) to individuals engaged by, or holding an office or post with, the University who do not have employment status. This may include, but is not limited to, workers, honorary staff, emeritus staff, volunteers, agency staff, contractors, consultants and University governors. It may also include prospective employees/non-employees who are taking part in a University recruitment or appointment process;

'excluded relationships' means any ongoing intimate personal relationship between a colleague and a student that: i. existed before 01 August 2025 and that remains in existence; or, ii. existed before the date that the colleague entered into a direct professional colleague/student relationship with the student;

'freedom of speech principles' means the following requirements: i. irrespective of the scope and extent of any other legal requirements that may apply to the University, the need for the University to have particular regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context or environment, including in premises and situations where educational services, events and debates take place; ii. the need for the University to apply a rebuttable presumption to the effect that students being exposed to any of the following is

unlikely to amount to harassment: the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures; and, statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course;

'harassment'

in brief, harassment means unwanted conduct (including conduct online) related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment can also occur where a person pursues a course of conduct which they know or ought to know amounts to harassment of another and which harasses one other person on at least two occasions or harasses two or more persons on at least one occasion in relation to each person.

A full definition of harassment can be found in Appendix 1 of the [Diversity and Dignity at Work and Study Policy](#);

'intimate personal

relationship'

between a student and colleague means any relationship that involves one or more of the following elements: i. physical intimacy including isolated or repeated sexual activity; or ii. romantic or emotional intimacy. This will include any such relationship, however brief, and whether conducted in person or remotely (for example, via social media, email or text messaging);

`direct professional colleague

/student relationship' in brief, this means a relationship between a relevant colleague and a student where the colleague has, or has the potential to have, direct academic, pastoral or administrative responsibility for the student. A full definition can be found in the [Professional Boundaries and Personal Relationships Policy](#);

`relevant colleagues' includes, but is not limited to: teaching colleagues, such as lecturers, senior lecturers, principal lecturers, readers, professors and PTVLs; dissertation or project supervisors for taught postgraduate students or research students; personal tutors and pastoral support staff; senior colleagues with responsibility or oversight of wider institutional strategy, processes and delivery, for example, Vice-Chancellor/Deputy Vice-Chancellors; technical support colleagues, finance or administrative colleagues with responsibility for matters such as student accommodation, student admissions and student finance; and, security colleagues. A full definition can be found in the [Professional Boundaries and Personal Relationships Policy](#);

`sexual misconduct' in brief, means unwanted or attempted unwanted conduct of a sexual nature, which includes but is not limited to sexual harassment, sexual assault and rape and it can include conduct online. A full definition of sexual misconduct can be found in Appendix 1 of the [Diversity and Dignity at Work and Study Policy](#);

'students'

unless specifically qualified otherwise, means any person pursuing a course, apprenticeship, module or programme of study or research offered by the University, whether or not currently in attendance, suspended, interrupted, or on placement or overseas study. It includes students who have accepted an offer of a place on a programme of study or research and as such have entered into a contract with the University but who have not yet completed the formal enrolment processes. Where a student also undertakes work for the University, that individual will be treated as both a colleague and a student for the purposes of the [Professional Boundaries and Personal Relationships Policy](#), commensurate with their respective roles.

Measures to protect students from harassment and sexual misconduct

Introduction

The University takes a number of steps to protect our students from harassment and sexual misconduct. These steps have been developed to reflect the specific circumstances of the University and the unique profile of our student population. They reflect our assessment of the potential risks in this area and how they can be most effectively addressed. This assessment has been undertaken through discussions with colleagues, students and student representatives and the collection and analysis of information about previous reported incidents of harassment or sexual misconduct.

The steps we have taken will be subject to continual review to ensure that they remain effective in addressing the potential risks of harassment and sexual misconduct, as those risks develop over time. These are summarised below.

Development and implementation of policies, procedures and rules of conduct

The University has developed a range of policies, procedures and rules of conduct which are intended to prevent harassment and sexual misconduct from occurring and which provide frameworks for dealing effectively with incidents of harassment and sexual misconduct where it arises.

In order to prevent incidents of harassment or sexual misconduct the University has set out clear standards of conduct for all colleagues and students. Links to these documents are below, with a description of their scope and purpose. Together, these documents form a coherent suite of policies which dovetail to form a comprehensive framework for addressing harassment and sexual misconduct.

- [Diversity and Dignity at Work and Study Policy](#) – This applies to all members of the University community, including students and colleagues. It sets out the University's core values and its commitment to enabling a supportive and safe learning and working environment where everyone is treated with dignity and respect and which is equitable, diverse and inclusive, is based on mutual respect and trust, and in which bullying, harassment, sexual misconduct, discrimination and victimisation are neither tolerated nor acceptable. It sets out the University's position on, amongst other matters, harassment and sexual misconduct, and provides a framework for students and colleagues to understand the routes by which concerns and complaints about such matters may be raised and resolution sought. It also details where students and colleagues who are affected by the matters covered in the Policy may access support. The Policy sets out the 'procedural framework' through which alleged breaches of the Diversity and Dignity at Work and Study Policy can be dealt with promptly and fairly and (in Appendix 2) sets out the routes for students and colleagues to raise and resolve issues and concerns. Appendix 1 of the Policy contains full definitions of key terminology, including harassment and sexual misconduct, with examples. These definitions are used throughout the University's relevant student and colleague policies.
- [Student Code of Conduct](#) – This sets out the standards of behaviour that the University requires of its students and gives specific examples of the types of behaviours that are deemed unacceptable, which include harassment and sexual misconduct. It outlines the potential consequences for students who fail to abide by the Code. This includes potential action under the Student Disciplinary Regulations.
- [Disciplinary Policy and Procedure and Colleague Code of Conduct](#) – This sets out the standards of behaviour that the University requires of all colleagues and the procedure that will be followed by the University when dealing with allegations of misconduct perpetrated by colleagues. It has provisions that deal directly with allegations of serious harassment or sexual misconduct by colleagues against students or other colleagues, including how students or colleagues who make an allegation of serious harassment or sexual misconduct may participate in the disciplinary process, how they will be supported and how they will be provided with

appropriate information. The Colleague Code of Conduct (which is incorporated into the Disciplinary Policy and Procedure as Appendix A) gives specific examples of the types of behaviours that are deemed unacceptable, which include harassment and sexual misconduct.

- [Student Complaints Policy and Procedure](#) – This sets out how a student may raise a complaint with the University about a range of matters, including a complaint of inappropriate conduct by a colleague. It explains how that complaint may be raised and with whom, how it will be investigated and determined and the support that will be available to the student raising the complaint. It includes specific arrangements for addressing complaints of sexual misconduct or harassment by colleagues.
- [Student Disciplinary Regulations](#) - The Regulations provide a framework and processes to deal with and manage allegations of student misconduct, including for the fair investigation and determination of alleged misconduct and the support that will be available to students who are involved in disciplinary matters. The Regulations will be applied to consider a complaint of misconduct by a student against another student, including an allegation of harassment or sexual misconduct.
- [Grievance Policy and Procedure](#) – This sets out the framework through which a colleague may raise a complaint relating to their employment, including about harassment or sexual misconduct. It explains how that complaint may be raised and with whom, how it will be investigated and determined and the support that will be available to the colleague raising the complaint.
- [Fitness for Registration and Practice Regulations](#) – The University has particular responsibilities with respect to students who are following a programme of study leading to a professional qualification which is registrable with a professional, statutory or regulatory body. These regulations may be used where a student has been found guilty of a disciplinary offence under the Student Disciplinary Regulations.

- [Safeguarding Framework](#) - This framework outlines the University's overarching approach to safeguarding and the principles that underpin our commitment to providing a safe and supportive environment.

Report + Support

As well as the above policies, the University operates "[Report + Support](#)", a secure and confidential online platform to report incidents of sexual misconduct, bullying, harassment, discrimination or hate crime.

Students and colleagues can use the tool to report an incident, whether it took place on campus, off-campus or online. Reports can be made anonymously or with contact details.

Reporting parties who have provided contact details are offered support and information on options available.

The content of anonymous reports is for information only.

Communicating policies, training and other awareness raising

The University operates a programme of training and awareness raising measures to ensure that both students and colleagues understand our policies that relate to harassment and sexual misconduct and the behaviours that may constitute harassment or sexual misconduct. This consists of the following:

a) Disseminating key policies and procedures

- Annual communications to all colleagues and students of our [Diversity and Dignity at Work and Study Policy](#) and other policies and highlighting any annual updates to these.
- Making the following policies available on the University website:
 - [Diversity and Dignity at Work and Study Policy](#)

- [Professional Boundaries & Personal Relationships Policy](#)
 - [Student Complaints Policy and Procedure](#)
 - [Student Disciplinary Regulations](#)
 - [Student Code of Conduct](#)
 - [Colleague Disciplinary Policy and Procedure and Colleague Code of Conduct](#)
 - [Colleague Grievance Policy and Procedure](#)
 - Making new students aware of the above policies via the policy and procedures page for students
 - Making new colleagues aware of the above policies via the University induction and through the mandatory online course on Equality and Diversity Essentials
 - Making contractors aware of the [Diversity and Dignity at Work and Study Policy](#) via existing regular monitoring meetings.
- b) Training for colleagues and students*
- Students will undertake training to ensure that they are appropriately informed and understand the University's policies and procedures to prevent and address harassment and sexual misconduct. Students will be able to opt-out of the training by informing their Personal Tutor and alternatives will be discussed with the individual.
 - Students may also choose to undertake Green Dot Bystander Training and Consent training offered by UWSU.
 - All colleagues will undertake mandatory training on the University's policies and procedures related to the [Diversity and Dignity at Work and Study Policy](#).
 - All colleagues who undertake investigations or are members of disciplinary panels for student cases relating to alleged sexual misconduct or harassment will be required to complete Trauma Informed Investigation Training. This training is currently provided by LimeCulture, a leading national sexual violence and safeguarding organisation.
 - All colleagues who support students reporting and responding to allegations of sexual misconduct have received specialist training currently provided by LimeCulture.

- Our Governors and members of the University Executive Board will receive training on our approach to preventing and addressing harassment and sexual misconduct.

c) Awareness campaigns

- The University will work with UWSU on social media campaigns on our approach to preventing and addressing harassment and sexual misconduct.

The training, communications and awareness campaigns delivered by the University will be consistent with our free speech obligations. Our approach to training, communications and awareness campaigns will be reviewed on an annual basis based on feedback from our University community and a review of our prevalence rates.

Fostering a culture of inclusion and respect

A core element of our strategy for combatting harassment and sexual misconduct is by cultivating a culture of respect and inclusion across our campuses.

At the University of Westminster, diversity, inclusion and equality of opportunity are at the core of how we engage with students, colleagues, applicants, visitors and all our stakeholders. We are fully committed to enabling a supportive and safe learning and working environment where everyone is treated with dignity and respect and which is equitable, diverse and inclusive, is based on mutual respect and trust, and in which bullying, harassment, sexual misconduct, discrimination and victimisation are neither tolerated nor acceptable.

Consistent with this culture, our colleagues and students are required, on and off campus, to conduct themselves in a manner that is considerate, courteous and respectful of others and of the pursuits of the University and to act responsibly in all their behaviour.

Responsibility for fostering this culture lies with all members of the University community – from individual colleagues and students to University leaders and managers – as well as with the institution itself. Further details of these responsibilities can be found in section 1.5 of our [Diversity and Dignity at Work and Study Policy](#).

The University's expectations in relation to the specific standards of conduct that underpin our culture can be found in our [Student Code of Conduct](#), our colleague [Disciplinary Policy and Procedure and Code of Conduct](#), and our [Diversity and Dignity at Work and Study Policy](#).

Maintaining a safe and inclusive physical environment for students

Maintaining a safe and inclusive physical environment for students is crucial for the University of Westminster. Proactive steps are being taken to enhance physical security on campus, which align with the University's health and safety procedures. These measures not only aim to prevent harassment and misconduct but also ensure that students feel secure and supported in their learning environment. The University has Security Officers at campus receptions and Halls of Residence, CCTV cameras are positioned in and outside our buildings and there is additional lighting in our outside areas. All campus entrances have identity card activated turnstiles.

Student engagement

The University developed its approach to preventing and addressing harassment and sexual misconduct in partnership with the Students' Union and the Student Voice Forum, which is made up of School Community Representatives from across the University. The Student Voice Forum also co-designed the University's approach to student training and awareness campaigns. The Student Voice Forum will be a key stakeholder in the review of the University's approaches.

Managing professional boundaries and personal relationships between colleagues and students

Whilst appropriate social interactions between colleagues and students can be a positive and desirable aspect of University life, it is important that they are subject to appropriate boundaries. The University recognises that where those boundaries are not observed, this risks the creation of actual or apparent conflicts of interest, favouritism, abuse of power, coercion, detriment or unfairness.

The University requires colleagues to observe professional boundaries in all their interactions with students, whether professional or social. Professional boundaries describe the limits of an appropriate colleague/student relationship. They reflect the nature of that relationship, including the duties owed by the colleague to the student and the power imbalance that will typically exist between them.

In most circumstances, the professional boundaries that must be observed by colleagues with students will be clear. It is clear, for example, that digital communications between colleagues and students are expected to be conducted through the University's standard communication systems e.g MS Teams, BlackBoard, University email etc, and not through the use of personal messaging, personal social media channels or the exchange and use of personal mobile numbers and/or email addresses. However, it is recognised that there will be some areas in relation to which guidance may assist to clarify the University's requirements of colleagues. The University's [Professional Boundaries and Personal Relationships Policy](#) contains a non-exhaustive list of example behaviours by colleagues when engaging with students that the University would regard as being beyond these professional boundaries and which could be construed as inappropriate sexual and/or romantic advances. Where a relevant colleague is in a direct professional colleague/student relationship with the subject of that behaviour, such behaviours could also amount to an abuse of power or coercion.

Where a student believes that they are being, or have been, subject to a breach of professional boundaries, whether or not that behaviour could also amount to an abuse of power or coercion, they are entitled to challenge that behaviour (for example, by refusing to agree to an inappropriate request or invitation). The student is also encouraged to report such behaviour to the University. Section 7 of the [Professional Boundaries and Personal Relationships Policy](#) provides further information about how students may report concerns and/or access support in relation to such matters.

With regard to intimate personal relationships between colleagues and students, these are prohibited where:

- the student is under the age of 18 or a vulnerable adult (as defined in the University's [Safeguarding Policy](#), as amended from time to time);
- the colleague has a direct professional colleague/student relationship with the student and the relationship is not an excluded relationship; or
- there are other factors that may indicate a risk of the relationship giving rise to an actual or apparent conflict of interest or favouritism, detriment or unfairness to the interests of the student

(hereafter 'prohibited relationships').

Any individual who is in an intimate personal colleague/student relationship and who is unclear whether it may be a prohibited relationship, or who has any other concerns regarding how the relationship may impact on their role and responsibilities as a colleague and/or student of the University, may seek guidance on the matter in accordance with section 7 of the University's [Professional Boundaries and Personal Relationships Policy](#).

A student will not be penalised by the University for participating in a relationship with a colleague, whether or not it is a prohibited relationship.

Where an intimate personal relationship ends, any future contact or engagement between the parties must be conducted by the colleague in a professional manner which does not impact adversely on the student (or on other colleagues or students). The University will not tolerate any bullying, harassment, victimisation or other detrimental treatment by a colleague towards a student under any circumstances, including where that treatment arises from the ending of an intimate personal relationship between those individuals.

Students who wish to seek support in relation to any matter relating to professional boundaries or personal relationships should contact student-wellbeing@westminster.ac.uk for further information regarding the guidance and support that is available.

Should a student wish to report any behaviour by a colleague that they believe may be in breach of [Professional Boundaries and Personal Relationships Policy](#), they should use the [Report and Support](#) platform in the first instance.

Where a student wishes to raise a concern regarding the behaviour of a colleague with whom they are in an intimate personal relationship, they may contact student-wellbeing@westminster.ac.uk and/or use the [Report and Support](#) platform and/or use the [Student Complaints procedure](#). Students are encouraged to report and seek support for abuse, coercion, harassment, sexual misconduct or inappropriate behaviours that occur within a relationship with a colleague, regardless of whether that relationship is permitted under this policy. Students should be reassured that a colleague who is the subject of a concern raised by them will have no involvement in the consideration of the matter.

Reporting harassment and sexual misconduct

There are a number of different ways that students and colleagues can report about harassment or sexual misconduct.

Report + Support

Students or colleagues at the University of Westminster who have experienced harassment, sexual misconduct, bullying, discrimination, or hate crime can report the incident through the University's Report and Support platform.

Reports can be made anonymously, or students can request support from a Wellbeing Advisor, while colleagues can seek assistance from a People Business Partner/Adviser. There is no time limit on when support can be requested, and individuals can access the Report and Support platform at any time.

Submitting an anonymous report prevents the University from identifying or contacting the individual, meaning that support cannot be directly offered, nor can an investigation or formal process be initiated. However, anonymous reports help the University build an understanding of issues that individuals may not feel comfortable disclosing personally. Such reports provide statistical data that is used to monitor trends and inform proactive and preventative efforts against bullying, harassment, discrimination, hate crime, and sexual misconduct.

To enable the University to take action and provide direct support, individuals are encouraged to make a disclosure by providing their name and contact details. Once a report is submitted, the information will be reviewed and assigned to a trained advisor on a strictly need-to-know basis. All details within the report will remain confidential, and no personal or identifiable information will be shared unless there is a genuine threat to an individual's health and/or safety. By submitting identifiable information, the individual indicates a preference for a response, which

may include University action. In such cases, an advisor will typically make contact within a few working days using the preferred communication method.

Reports may also be submitted on behalf of someone else or by a third party. If sensitive information about a student or colleague is included, it is advised that the reporting individual has the consent of the person concerned before submitting details via [Report and Support](#). Alternatively, a short report may be submitted without naming the individual or including sensitive information, and the University will then provide guidance on the appropriate next steps.

[Student Complaints Procedure](#)

Students who wish to raise a complaint of harassment or sexual misconduct against a colleague can use the [Student Complaints Procedure](#). The complaint will then be considered under that procedure. Details on how to submit a complaint are set out in sections 10–12 of the procedure and summarised below.

If a student wants to attempt an informal resolution, the complaint can be raised directly with the individual concerned or, if this is not comfortable, with a more senior colleague responsible for the relevant area. This could be, for example, a Module Leader, Course Leader, Head of School, Personal Tutor, Disabilities Tutor, Learning Support Manager, Residential Services Manager, Building Maintenance Manager, or a manager of any relevant Professional Services department.

If the informal complaints procedure has been exhausted, or if a formal complaint is preferred without attempting an informal resolution, the student must complete a Student Complaint Form via e:Vision (www.westminster.ac.uk/student-complaints). If the form is needed in a different format, studentcomplaints@westminster.ac.uk can be contacted. The complaint should be submitted promptly and within 90 days of the occurrence.

Grievance Policy and Procedure

Colleagues who wish to raise a complaint of harassment or sexual misconduct can use the [Grievance Policy and Procedure](#). The grievance will then be considered under that procedure.

If preferred, the matter may first be addressed informally through discussion with the individual concerned or with a line manager. If the concern relates to the line manager, it may be raised with the next appropriate management level. However, if informal resolution is not comfortable or feasible, the grievance may proceed directly to a formal submission.

Formal grievances should be raised without unreasonable delay with the immediate line manager. If the grievance involves the line manager, it should instead be raised with the next appropriate management level. The grievance should be specific and include relevant facts, dates, and names of individuals involved, as well as the desired outcome using the [Statement of Grievance Form](#), available on the colleague intranet.

Investigating harassment and sexual misconduct

If the University decides to initiate an investigatory or decision-making process against a student or colleague in relation to alleged harassment or sexual misconduct by that individual, it will be conducted in accordance with the following procedures:

1. for alleged harassment or sexual misconduct by a colleague, the [Disciplinary Policy and Procedure](#)
2. for alleged harassment or sexual misconduct by a student, the [Student Disciplinary Regulations](#).

A decision to initiate a disciplinary process against a colleague in respect of alleged harassment or sexual misconduct may be made where:

- a panel that has considered a complaint of harassment or sexual misconduct under the [Student Complaints Procedure](#) has determined that there is sufficient evidence for the matter to be referred for consideration under the Disciplinary Policy and Procedure;
- as part of the outcome of a grievance under the [Grievance Policy and Procedure](#) that concerns a complaint of harassment or sexual misconduct, a recommendation is made to refer the matter for consideration under the Disciplinary Policy and Procedure;
- following a report of harassment or sexual misconduct made through the University's [Report + Support](#) platform, an assessment is made by the University that the matter should be considered under the [Disciplinary Policy and Procedure](#); or
- alleged harassment or sexual misconduct has come to the University's attention by other means and the University assesses that the matter should be considered under the [Disciplinary Policy and Procedure](#).

A decision to initiate a disciplinary process against a student who is suspected of harassment or sexual misconduct may be made where:

- a student makes a complaint of harassment or sexual misconduct through the [Student Disciplinary Regulations](#) and a decision is made under that procedure (following a preliminary investigation, where that is deemed appropriate, and following any request for a review by the reporting person) that the matter should be considered under the formal stage of the [Student Disciplinary Regulations](#);
- a student makes a complaint of harassment or sexual misconduct under the [Student Complaints Procedure](#) and an assessment is made by the University that the matter should be considered under the [Student Disciplinary Regulations](#);
- a colleague makes a complaint of harassment or sexual misconduct and an assessment is made by the University that the matter should be considered under the [Student Disciplinary Regulations](#);
- following an allegation of harassment or sexual misconduct raised through the University's [Report + Support](#) platform, an assessment is made by the University that the matter should be considered under the [Student Disciplinary Regulations](#); or
- alleged harassment or sexual misconduct has come to the University's attention by other means and the University assesses that the matter should be considered under the [Student Disciplinary Regulations](#).

The [Disciplinary Policy and Procedure](#) and [Student Disciplinary Regulations](#) set out full details of the investigation and decision-making processes when allegations of harassment or sexual misconduct are being considered against colleagues or students, respectively. This includes, under each procedure, the decision-making process, timescales for the investigation and the decision-making process, the range of possible actions that may result from the investigation and decision-making process, and any appeal mechanism in relation to any decisions taken how this can be triggered.

These steps are summarised below, for each of the two procedures:

1. [Disciplinary Policy and Procedure](#):

- In cases involving allegations against a colleague of serious harassment or sexual misconduct (such as sexual assault), and where those allegations have not previously been considered and subject to findings under another University procedure (including the [Student Complaints Procedure](#)), the following steps are followed:
- The University will appoint an appropriately trained Investigation Officer to carry out a disciplinary investigation prior to any disciplinary hearing. The investigation will take place as soon as possible after the allegation in question has been identified by the University and it will proceed without unreasonable delay to establish the facts of the case. The University will notify the colleague in writing of the nature of the allegation(s) which are to be investigated and the colleague will be invited to meet with the Investigation Officer to present verbal and written information in response to the allegation(s) to be considered. The investigation is likely to involve the holding of investigatory meetings with the individual who has made the complaint, and potentially with other witnesses.
- If, following the investigation, the Chair determines that there is 'no case to answer' and that the case should not proceed to a disciplinary hearing, the person who made the complaint will, within 5 working days

of the decision being taken, be notified of the decision and provided with a copy of the investigation report (if there is one) (redacted for relevance and where necessary in compliance with data protection and confidentiality obligations). Within 10 working days of being notified, they may request a review of that decision by the Chair, setting out the reason for their request. Where a review request is made, the colleague will, within 5 working days, be informed of the request and invited to respond in writing within no more than 10 working days. The Chair will review their decision (on paper without a hearing) in light of the request and any response from the colleague. The person who made the complaint and the colleague will be informed of the decision of the Chair in writing (normally within 15 working days of the date of the review request) and this decision will be final.

- If, following the investigation, a decision is taken to proceed to a disciplinary hearing, the hearing will be conducted by a panel of three.
- Prior to the hearing, the colleague will be provided with full details of the date and time of the hearing, the allegations being considered, their right to be accompanied at the hearing, the parties who will be present, the provisions for requesting witness attendance and they will be provided with the investigation report and any supporting evidence. The colleague will be invited to submit their own evidence in advance of the hearing.
- At the hearing the colleague will be invited to make submissions in response to the allegations, and the panel and the colleague will have the opportunity to raise points and questions about any information and evidence presented.

- Once the chair and panel members of the disciplinary hearing have considered all of the evidence, they will decide whether the allegations are upheld and, if so, if it is appropriate to issue a disciplinary sanction (and the appropriate level of any sanction) or whether no further action is required. The sanctions that may be applied are set out in section 8 of the [Disciplinary Policy and Procedure](#).
- The outcome of the disciplinary will be communicated to the colleague, in writing, summarising the decision and reasons, usually within ten working days from completion of the disciplinary hearing. If there is a delay in communicating the outcome, the colleague will be notified in writing and advised of the revised timescale.
- In cases where the allegation may result in dismissal, the decision-maker will be a post holder who has been given the authority to dismiss under relevant Standing Orders made under the Memorandum of Association for the University of Westminster.
- The colleague has the right to appeal against any formal disciplinary sanction. They must send their written notice of appeal to the Director of People, Culture and Wellbeing within ten working days from the date of the disciplinary outcome letter, clearly stating the grounds for the appeal.
- Every effort will be made to hear the disciplinary appeal as soon as reasonably possible, and the University will normally aim to acknowledge the appeal and confirm the date of the formal appeal hearing within ten working days of receipt of the appeal. The appeal will ordinarily be conducted by way of a review of the decision to issue a sanction, as opposed to a rehearing.
- The Appeal Chair will make their decision as soon as reasonably practicable after the appeal hearing and will communicate that decision in writing to the colleague. The Appeal Chair has the right to uphold or overturn the original sanction either in part or in full, and to apply lesser or greater sanctions if deemed appropriate. The written decision of the Appeal Chair will be final.

- To ensure that the procedure is fair and free from bias fairness, the University will ensure that any individual involved in investigating or making decisions in the case are independent of the matters under consideration.
- Throughout the disciplinary process the person who made the complaint will be notified of any significant developments in the proceedings, and provide them with sufficient information to understand the decisions reached, whilst having due regard to any data protection legislation and/or any confidentiality obligations that may be owed to the colleague who is the subject of the decision.

2. Student Disciplinary Regulations:

- Where it has been determined that that the suspected misconduct is potentially serious, the Academic Standards Manager will convene a hearing of the Stage 2 Formal Disciplinary Panel as soon as possible and normally within 30 working days;
- Where it is determined that an investigation is required, an investigator will be appointed to carry out such investigation prior to the holding of a Formal Disciplinary Panel Hearing. The investigation may include collating evidence and interviewing witnesses (including the person who reported the alleged conduct);
- At the conclusion of an investigation the investigator will prepare an investigation report detailing the misconduct allegations they have investigated, summarising the evidence they have collated and their findings and the misconduct allegations and a copy of the report will be provided to the Associate Head of College (Education and Students), the Academic Standards Manager and the student who is the subject of the allegation ('the Responding Student');

- The Academic Standards Manager will write to the Responding Student to inform them of the date of the Stage 2 Formal Disciplinary Panel Hearing and will provide information, including about the date, time and venue of the hearing, the allegations that will be considered, the names of the parties who will be present, the Responding Student's right to be accompanied, and their right to present and call evidence at the hearing. The Responding Student will normally receive at least 10 working days' notice of the hearing date and, at least four working days before the date of the hearing, they will receive a paginated bundle containing copies of the evidence to be presented at the Hearing;
- At the hearing, the Responding Student (or their representative) will normally be invited to present their response and may call any witnesses and they may make a short closing statement;
- The Formal Disciplinary Panel will determine whether or not the disciplinary offences raised against the Responding Student are proven on the balance of probabilities. Where an offence has been proven it will consider whether any sanction set out at [Regulation 9.23](#) should be imposed. The Responding Student will be informed of the decision of the Formal Disciplinary Panel in writing, with reasons, and of their entitlement to request an appeal, normally within five working days of the date of the Hearing. If it is identified that the outcome may take longer than five working days, the Responding Student will be notified;
- The Responding Student will be informed in the decision letter of their right to request an appeal of the decision of the Formal Disciplinary Panel. If a Responding Student wishes to request an appeal, they must submit a request in writing to the Academic Registrar within 10 working days of the date of the decision letter;

- If the request for an appeal is accepted, the matter will be referred for consideration by a Student Disciplinary Appeal Panel. The Responding Student will be notified of this decision, normally within 15 working days of receipt of the appeal request;
- The Student Disciplinary Appeal Hearing will normally be held within 30 working days of the date of the written notification to the Responding Student of the decision to accept the appeal request. The Responding Student will be invited to submit any further written information in support of their appeal by no later than seven working days in advance of the date of the Student Disciplinary Appeal Hearing;
- the Responding Student may attend the Student Disciplinary Appeal Hearing to present their appeal, question any party and make a final statement;
- The appeal outcome will be communicated to the Responding Person in writing, with reasons, normally within five working days of the date of the Student Disciplinary Appeal Hearing. The Student Disciplinary Appeal Panel may uphold or dismiss the appeal in whole or in part. This decision will be final;
- To ensure that the procedure is fair and free from bias fairness, the University will ensure that any individual involved in investigating or making decisions in the case are independent of the matters under consideration.

The [Disciplinary Policy and Procedure](#) (section 6.6) and the [Student Disciplinary Regulations](#) (Appendix 2) also address how any process would deal with disciplinary allegations that may also constitute a criminal offence.

Communicating outcomes

A number of individuals may be affected by alleged incidents of harassment and sexual misconduct (including, but not limited to, those who have alleged and/or experienced the incidents and actual or alleged perpetrators). It is important that where decisions are made about those incidents, those affected are informed and the reasons for those decisions explained.

Our provisions for reporting and investigating such incidents identify, under each policy and by reference to the nature of the issues raised and the process being applied, which parties are deemed to be affected by any decisions and what information they will receive about those decisions and when. The table below sets out links to the policies under which alleged serious harassment or sexual misconduct may be considered, with a summary of which parties will receive information about decisions made at each stage of the procedure.

Procedure	Stage	Affected party	Information shared
Student Complaints Policy and Procedure	Stage 2 - formal complaint	Complainant	Panel's decision in relation to the complaint
		Colleague who is subject of complaint	Panel's decision on whether sufficient evidence for matter to be referred to University's colleague Disciplinary Policy and Procedure

		Any other colleague directly affected by the panel's decision	Any remedial actions or recommendations that directly affect that individual
	Stage 3 – request for appeal	Complainant	Decision and reasons
	Stage 3 – appeal	Complainant	Appeal decision and reasons
		Where the decision varies the Stage 2 Complaint decision by creating a new remedy, or substituting an existing remedy, any colleague directly affected by the decision	Outcome with reasons
Student Disciplinary Regulations	Initiation of Regulations	Responding student	Copy of the Preliminary Investigation Report and decision made under Regulation 7.5

		Reporting person	Copy of the Preliminary Investigation Report and decision made under Regulation 7.5
	Review of decision on whether to initiate Regulations	Responding student	Decision that no valid grounds for review or if grounds for review, the review decision
		Reporting person	Decision that no valid grounds for review or if grounds for review, the review decision
	Stage 1 – formal disciplinary	Responding student	Decision in writing with reasons
		Reporting person	Copy of the decision letter or selected details therefrom

	Stage 1 – request for appeal	Responding student	Decision made on the appeal request
		Reporting person	Decision made on the appeal request
	Stage 2 – formal disciplinary	Responding student	Decision in writing with reasons
		Reporting person	Copy of the decision letter or selected details therefrom
	Stage 2 – request for appeal	Responding student	Decision made on the appeal request
		Reporting person	Decision made on the appeal request
	Stage 2 – appeal	Responding student	Appeal decision with reasons
		Reporting person	Draft appeal decision

Disciplinary Policy and Procedure	Investigation	Subject of investigation	Investigation report and outcome
		Reporting person	Notice of a decision not to take formal action and decision on any request to review that original decision
	Disciplinary hearing	Subject of disciplinary	Decision with reasons
		Reporting person	Sufficient information to understand the decision reached, whilst having due regard to any data protection legislation and/or any confidentiality obligations that may be owed to the colleague who is the subject of the decision
	Appeal	Subject of disciplinary	Decision with reasons
		Reporting person	Sufficient information to understand the decision reached, whilst having due regard

			to any data protection legislation and/or any confidentiality obligations that may be owed to the colleague who is the subject of the decision.
Grievance Policy and Procedure	Grievance hearing	Complainant	Grievance outcome and notification of any recommendations for any party to the grievance
		Respondent	Grievance outcome and notification of any recommendations for any party to the grievance.
	Appeal	Complainant	Appeal decision
		Respondent	Notification of any appeal outcome and/or arising recommendations that substantively change the original outcome or directly affect that individual.

Confidentiality

Any information received or obtained in connection with incidents of harassment or sexual misconduct will be handled sensitively and used fairly by the University. We will also ensure that any personal data is processed in accordance with our legal obligations to ensure that students' and colleagues' personal information is properly protected.

As far as possible, our procedures for considering and determining concerns relating to alleged harassment or sexual misconduct will be confidential. Any person who is involved in a process (including any witness) will be required to respect its confidential nature and any breach by a colleague or student may be treated by the University as potential misconduct, which may be subject to disciplinary action.

However, in some circumstances we may be required to make disclosures either to other individuals within the University or to third parties, where we are able to do so in accordance with data protection obligations. For example, this may be necessary for the purposes of investigating, determining or otherwise dealing with a complaint, report or alleged misconduct or for the implementation of any decisions or recommendations that arise from that process. Information may also be shared when providing wellbeing support and protecting the health, safety and wellbeing of a student or colleague. Where such sharing is necessary, we will ensure that we comply with our obligations of confidentiality and under data protection legislation when sharing or otherwise processing information under the relevant procedure.

Full details of how information will be managed in accordance with the above principles under different University procedures are set out in those procedures, as follows:

- section 6.1 of the [Disciplinary Policy and Procedure](#)
- section 4.2 of the [Grievance Policy and Procedure](#)

- section 5 of the [Student Complaints Policy and Procedure](#)
- section 1.6 of the [Diversity and Dignity at Work and Study Policy](#)
- section 5 of the [Student Disciplinary Regulations](#)
- the [Report and Support system privacy statement](#).

Support for students and colleagues

Support is available to any student or colleague who discloses an incident of harassment or sexual misconduct, regardless of how that issue is raised and with whom or of the outcome of any investigation into the matter.

Support for students

Where a student is involved in any way in an incident of harassment and/or sexual misconduct, they will be provided with appropriate support, as defined in this document.

Where a student is involved in a process to investigate or make decisions about alleged harassment or sexual misconduct, they will be assigned a Sexual Misconduct Liaison Officer (SMLO) who is trained specifically to support them during any investigation under that procedure.

The University may also consider the application of precautionary conditions/temporary measures where we determine that the student faces a risk of serious harm to their health, safety and/or welfare or of serious disruption to their learning, study, enjoyment of accommodation and/or student experience.

In addition, where a student complaint or student disciplinary process involves a complaint of sexual misconduct or harassment a Student Casework Risk Panel (SCRIP) meeting may be convened. Their role will be to:

- consider the academic, welfare and support needs of the student and of any other members of the University community directly involved in the case and identify any actions or measures required to ensure that those needs are met; and
- undertake a risk assessment in order to determine whether any precautionary actions that need to be put in place in order to ensure that a full and proper investigation can be carried out and/or to implement measures to reasonably ensure the safety and wellbeing of those involved during an investigation.

Details of the SCRP and their role can be found in section 7 of the [Student Complaints Policy and Procedure](#) and in section 2 of the [Student Disciplinary Regulations](#) and Section 6.5 of the colleague [Disciplinary Policy and Procedure](#).

Support is also available through the University of Westminster [Students' Union Advice Service](#). This is a confidential, independent and impartial service that is not part of the University. It will provide a named advisor who will meet with the student and support and guide them throughout any investigatory process, including helping them prepare for meetings and accompanying them to those meetings. They can also provide advice and support following the conclusion of a process, including, where applicable, information about whether the student may have grounds for appeal.

Other support that is available for students includes:

- Access to an adviser on [Report + Support](#). An adviser can talk through the University's procedures, inform a student on how to make a complaint and let them know what support is available, in confidence.
- [Residential Life](#). For students in University Halls, all of the residences have Residential Assistants living in-house, who are senior students specially selected and trained for these roles. They are available weekday evenings and weekends to talk things through.
- A student's [Personal Tutor](#) can support in relation to the student's studies and can put the student in touch with services that can provide further support.
- [Counselling Service](#). The University's team of professional counsellors, psychotherapists and mental health workers offers confidential support.
- [The Disability Learning Support Service](#). The University's dedicated disability advisors can provide advice, guidance, and support to students about a range of practical adjustments to work or studies.
- [Mitigating Circumstances](#). Students who feel their studies have been affected by what has happened, can consider applying for mitigating circumstances.

- The University will also consider what support can be provided to allow students to continue and progress with their studies, these will be considered on a case by case basis but could include room changes, timetable changes, alternative assessments and additional tuition.

This support is available at all times, including before, during or following any formal investigation relating to an allegation or complaint of harassment or sexual misconduct.

Support for colleagues

Any colleague directly affected by a complaint of harassment or sexual misconduct may seek support from People, Culture and Wellbeing, their Trade Union, their line manager, the Employee Assistance Programme and/or colleague self-referral counselling provisions. Colleagues required to attend formal meetings in relation to a complaint of harassment and/or sexual misconduct have the right to be accompanied to such meetings by a work colleague or Trade Union Representative.

Further support that is available to colleagues, whether they the subject of, or are accused of, harassment or sexual misconduct includes:

- [Employee Assistance Programme](#). To access this confidential external colleague support helpline, colleagues can call 0800 316 9337. The service is free of charge and available 24 hours a day, seven days a week.
- [People Business Partner/Adviser](#). A colleague's People Business Partner/Adviser will be able to advise them on the support that's available at the University, in confidence.
- [Trade Union](#). There are two trade unions that represent colleagues at the University: Unison and UCU. If colleagues are a member of a trade union, the local Trade Union representative will be able to offer professional advice and support.
- [Safety, Health and Wellbeing Resources and Support](#).
- [Counselling](#). Professional counselling is available to all University colleagues.

This support is available at all times, including before, during or following any formal investigation relating to an allegation or complaint of harassment or sexual misconduct.

Further information

Further information about the support that the University can make available to students and colleagues who are affected by harassment or sexual misconduct can be found here:

- section 1.8 of the [Diversity and Dignity at Work and Study Policy](#)
- section 7 of the [Student Complaints Policy and Procedure](#)
- section 2 of the [Student Disciplinary Regulations](#)
- sections 6.5 and 9 of the [Disciplinary Policy and Procedure](#)
- section 3.3 of the [Grievance Policy and Procedure](#)
- the colleague and student support sections of [Report and Support](#)