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## **BULLYING, HARRASSMENT & SEXUAL MISCONDUCT POLICY**

### **1.0 Introduction**

This policy is in accordance with the Office for Students conditions for Higher education providers and it outlines The Language Gallery's (TLG) approach to preventing, managing, responding and training staff and students on incidents of bullying, harassment and sexual misconduct. TLG has a zero-tolerance stance on all forms of bullying, harassment and sexual misconduct. TLG is committed to ensuring a secure environment for all students, staff and members of the public.

### **2.0 Related Policies**

This policy should be read in conjunction with the following related policies

- Complaints Policy.
- Student Disciplinary Policy.
- Employee-Student Relationship Policy.
- Student Code of Conduct.
- Fitness to Study Policy
- Equality, Diversity and Inclusion Policy.

### **3.0 Scope**

This policy applies to all students, staff, contractors, volunteers, visitors, and any third parties involved in activities connected to TLG, whether on campus, online, or in other TLG-related contexts.

### **4.0 Definitions**

**Bullying:** Bullying is defined as any unwanted behaviour by an individual or group that is offensive, intimidating, malicious, or insulting, or involves an abuse or misuse of power intended to undermine, humiliate, or cause physical or emotional harm. Within our institution, this applies to all interactions involving students, staff, and members of the public engaging with the university. Bullying may occur as a single incident or a pattern of behaviour and can take place in person, online, or through any form of communication. It is not limited to obvious actions and may occur without the perpetrator's intent. Such behaviour is unacceptable and will be addressed under our conduct and safeguarding policies to ensure a safe, respectful, and inclusive environment for all.



**Sexual Misconduct:** In line with OfS definition<sup>1</sup> of terms, 'sexual misconduct' means any unwanted or attempted unwanted conduct of a sexual nature and includes but is not limited to sexual harassment; sexual assault; and rape. This list is not exhaustive. Also, Harassment and sexual misconduct that is conducted online falls within the remit of this policy.

**Harassment:** Harassment, under the terms of the Equality Act 2010 (EqA)<sup>2</sup>, occurs when there is unwanted conduct (relating to a protected characteristic) which has the purpose or effect of either violating an individual's dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment.

## **5.0 Policy Statement**

This policy applies to all members of TLG's community regardless of their roles and responsibilities. TLG is dedicated to ensuring that all individuals are treated with dignity and respect. TLG does not tolerate any form of bullying, harassment or sexual misconduct.

Allegations will be taken seriously, investigated promptly, and handled with fairness and sensitivity. All members of TLG's community are expected to uphold the highest standards of conduct. Training and awareness initiatives will be provided regularly to promote understanding and prevent inappropriate behaviour.

## **6.0 Guiding Principles**

6.1 The core principle of this policy is to ensure that there is a clear, accessible, proportionate, timely and fair procedure for ensuring that all cases of bullying, harassment and sexual misconduct are clearly dealt with by TLG's disciplinary proceedings.

6.2 TLG reserves the right to carry out any of its internal disciplinary processes. This includes but is not limited to circumstances where reported behaviour does not constitute a criminal matter or if following criminal proceedings, the defendant was acquitted.

6.3 TLG will conduct its investigation into alleged misconduct in a fair and impartial way in accordance with its complaint's procedure.

6.4 Confidentiality will be maintained, where possible, throughout the process in recognition of the sensitive nature of bullying, harassment and sexual misconduct matters. As such, information about alleged offences will usually only be shared with relevant individuals/entities (who may be internal or external to TLG, e.g. internal counsellors, witnesses, external experts

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<sup>1</sup> [Annex A: Condition E6: Harassment and sexual misconduct](#)

<sup>2</sup> [Equality Act 2010](#)



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from specialist agencies like Rape Crisis, Sexual Assault Referral Centres or the Police) with the agreement of the Reporting Party.

## **7.0 Reporting Procedures**

TLG encourages all students and staff to report cases of bullying, discrimination, harassment, hate crime and sexual misconduct. These cases can be reported anonymously, or victims can decide to share their information on the dedicated email address [misconduct@thelanguagegallery.com](mailto:misconduct@thelanguagegallery.com).

Reported cases will be managed by specially trained members of staff and investigations will follow the complaints procedure set out by the college.

### **7.1 What Happens After a Report is Made**

An initial risk assessment will be carried out to ensure that the immediate safety and wellbeing of all parties is protected. This risk assessment will be carried out by the following key officers.

- a. Safeguarding Lead
- b. Head of Student Support

The individual who has made a report to TLG that they have experienced bullying, harassment, sexual violence, or sexual misconduct will be provided with information about their options in taking forward their case e.g. progress under this procedure, report to the Police, seek an informal resolution. TLG will respect the Reporting individual's wishes and support them whether they wish to report to the Police or not.

Depending on the nature of the concern, TLG may offer an informal resolution process or may initiate a formal investigation. In all cases, the individual making the report will be informed of their rights and choices before any action is taken. Exceptions to this approach may apply if a safeguarding concern arises that requires immediate escalation.

### **7.3 Formal Investigation**

7.3.1 Allegations of bullying, harassment, sexual violence or misconduct are treated as extremely serious. Any such reports will be addressed through a formal process. Where a student is found responsible, possible outcomes include expulsion. In these circumstances, the matter will be considered by a dedicated Bullying, Harassment and Misconduct Panel.

7.3.2 An Investigating Officer will be appointed by the Senior Leadership Team to manage the case. This individual must not have any personal involvement with the individuals concerned and must declare any potential conflict of interest before commencing investigations.



7.3.3 The Investigating Officer will review the allegation, available evidence, and any witness accounts. They will also contact the Reporting individual to discuss the matter further. Their role is to establish the facts.

7.3.4 The Responding individual will be contacted and invited to meet with the Investigating Officer, ensuring they have the opportunity to present their account. Additional evidence may also be gathered from relevant witnesses or through further enquiries.

7.3.5 Should the Responding individual choose not to engage with the investigation, the process will continue in their absence, and the case will still be heard by the Panel.

7.3.6 A Bullying, Harassment and Misconduct Panel will then be convened. Panel members will be appointed by the Senior Leadership Team.

7.3.7 The Responding individual will normally receive at least seven days' notice of the hearing and will be asked to attend. The Reporting individual will also be informed and may attend if they wish. The responding individual will be advised on involving student representatives or inviting their own witnesses, family members or friends or the Responding individual will not be allowed to attend.

7.3.8 Witnesses identified by either party, or by the institution, will be notified at least three days in advance if they are required to give evidence at the hearing.

7.3.9 Where appropriate, the Investigating Officer's report and supporting documentation will be shared with Panel attendees at least three days prior to the meeting.

7.3.10 During the hearing, the Investigating Officer, the Reporting individual, and the Responding Party will all have the opportunity to address the Panel. Panel members may ask questions of any of these individuals, as well as any witnesses.

7.3.11 At the start of the meeting, the Chair will remind participants that this is an internal process and does not carry the status of a legal judgment. Following the hearing, the Panel will deliberate in private and reach a decision based on the evidence presented.

7.3.12 The Panel will aim to reach a decision on the same day, but if this is not possible, the outcome will be finalised as soon as reasonably practicable. Where consensus cannot be reached, the Chair will have the casting decision.

7.3.13 The Chair will communicate the decision in writing to the Responding individual, and to the Reporting individual where appropriate, normally within three working days. The written outcome will include the Panel's findings, reasons, and any conditions attached.



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7.3.14 The Responding Party retains the right to appeal against the decision. Any appeal must follow the procedures outlined in the institution's complaints policy.

#### 7.4 Support and Aftercare

TLG is committed to supporting those affected by Bullying, Harassment and sexual misconduct. Individuals who make a report will be signposted to available support services.

#### 7.5 Confidentiality and Record-Keeping

Reports will be handled with sensitivity and care. TLG will keep all information confidential, sharing it only on a strict need-to-know basis and in accordance with its safeguarding, legal, and investigatory responsibilities. While anonymous reports may limit TLG's ability to investigate individual incidents, they remain an important source of information for improving the overall safety and wellbeing of the College community.

#### 7.6 Monitoring and Improvement

TLG regularly reviews the nature and volume of reports received to identify patterns, assess risks, and develop effective responses. This includes an annual review of data and outcomes, which is presented to the governing body. Identifying details are removed from all reports used for this purpose to preserve anonymity and privacy.

### **8. Policy Review**

This policy is reviewed annually or as required to maintain alignment with academic regulations and institutional requirements.



## Appendix 1

### Examples of Harassment (non-exhaustive)

- I. Controlling and coercive behaviours (e.g. behaviours that cause someone serious alarm, distress and/or pressure, which then has a substantial adverse effect on their usual day-to-day activities; 'emotionally blackmailing' an individual to stay in an intimate/friendship relationship; controlling clothing, food, friendship or other personal choices of another individual);
- II. Coercive demands for favours (including sexual favours), including offers or suggestions of sexual or non-sexual favours to further a career or to progress in study, including the suggestion that a refusal may hinder a career/study progression.
- III. Treating someone less favourably because they have submitted or refused to submit to any behaviour in the past, or
- IV. 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);
- V. Grooming behaviours (for example, but not limited to: isolating someone so they are dependent academically and emotionally; buying someone presents or repeatedly insisting on paying for them to create a power imbalance; exploitation of a position of authority or of a power imbalance by an individual for their own advantage by coercing, manipulating or deceiving another person);
- VI. Either directly or indirectly targeting an individual or a group of people because of their ethnic origin, colour, race, nationality, religion, sex, gender, disability, or other presentation or perceived presentation in a way that is intended or- regardless of intent- likely to intimidate or harm;
- VII. Repeatedly engaging in unwanted interaction, including online/via social media
- VIII. Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;



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- IX. Publishing any statement or other material without consent, whether online or in hard copy:
  - Purporting to originate from another person;
  - Relating or purporting to relate to another person;
- X. Stalking another person, for example, following a person, watching or spying on them or forcing contact with the victim through any means, including social media;
- XI. Monitoring another person's use of the internet, email or any other form of electronic communication;
- XII. Interfering with the property of another person, including restricting their access to their own property.



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## Appendix 2

### Risk Assessment Template

Sexual Harassment Reporting and Support System.

This template is to be completed by the Risk Assessment Officer during the triage and follow-up process for reports submitted.

#### Section 1: Report Overview

Date of Report Submission	
Report Reference ID	
Anonymous Report?	
Reporter's Role (Student, Staff or Visitor)	
Date of Incident	
Location of Incident	

#### Section 2: Initial Risk Indicators

<b>Nature of Concern Reported</b>	
Sexual Assault	<input type="checkbox"/>
Cyberbullying	<input type="checkbox"/>
Stalking	<input type="checkbox"/>
Harassment	<input type="checkbox"/>
Others (Please Specify):	



Check all applicable indicators:

Assessment Question	Yes	No	N/A	Comments / Details
Ongoing risk to individual or others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mental health or self-harm risk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Risk of retaliation or escalation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Multiple individuals implicated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Incident linked to protected characteristic (e.g. gender, race, religion)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Incident occurred on TLG premises or at a TLG event	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Section 3: Initial Actions Taken by TLG

Assessment Question	Yes	No	N/A	Comments / Details
Has support to the reporting party been offered (e.g. Safeguarding Lead, Student Services, HR):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Was a safeguarding referral made	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Section 4: Risk Rating

Likelihood of Harm	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>
Potential Impact	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>
Overall Risk Rating	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

Recommended Immediate Action:

Monitor only	
Informal resolution or guidance	
Formal investigation initiated	
Referral to external services (e.g. police, NHS)	



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*Follow-Up and Review*

Follow-up Actions Required	
Scheduled Review Date (if applicable)	
Additional Notes or Observations (If required)	

Assessed by (Name and Role) \_\_\_\_\_

Date of Assessment: \_\_\_\_\_



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