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**POLICY ON SEXUAL MISCONDUCT  
AND SEXUAL ASSAULT 2025**

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Related GBS policies
<ul style="list-style-type: none"> <li>• GBS Equality and Diversity Policy</li> <li>• GBS Student Code of Conduct</li> <li>• GBS Anti-harassment and anti-bullying Policy and Procedure: Staff</li> <li>• GBS Anti-harassment and anti-bullying Policy and Procedure: Student</li> <li>• GBS Safeguarding Policy</li> <li>• GBS Prevent Policy</li> <li>• GBS Social Media Policy</li> <li>• GBS Health and Safety Policy</li> </ul>
External Reference Points
<ul style="list-style-type: none"> <li>• OfS Student guide to harassment and sexual misconduct <a href="https://www.officeforstudents.org.uk/for-students/student-rights-and-welfare/student-guide-to-harassment-and-sexual-misconduct/">https://www.officeforstudents.org.uk/for-students/student-rights-and-welfare/student-guide-to-harassment-and-sexual-misconduct/</a></li> <li>• Equality Act 2010 <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a></li> <li>• Sexual Offences Act 2003 <a href="https://www.legislation.gov.uk/ukpga/2003/42/contents">https://www.legislation.gov.uk/ukpga/2003/42/contents</a></li> <li>• Protection from Harassment Act 1997 <a href="https://www.legislation.gov.uk/ukpga/1997/40/contents">https://www.legislation.gov.uk/ukpga/1997/40/contents</a></li> </ul>

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## 1. Policy Statement

### 1.1

Global Banking School (GBS) is committed to providing an inclusive campus environment that is free from bullying, harassment (including sexual harassment) and sexual misconduct. We believe all students, staff and visitors have the right to study and work in a safe environment, where everyone is treated with dignity and respect. We are committed to preventing and eliminating all forms of misconduct and harm. All members of our GBS community have a responsibility in ensuring that their interpersonal relationships and interactions are characterised by mutual respect, open communication and clear consent. Behaviours that fall short of our commitment to each other and a breach of this policy, including inappropriate actions or failure to act, may result in disciplinary action.

## 2. Purpose

### 2.1

GBS is committed to providing a positive and safe environment for all students and staff to study, live and work.

As a Higher Education Provider, and as a community:

- We will not tolerate any form of sexual assault, sexual misconduct or harassment.
- We will promote an open culture and encourage reporting of incidents and concerns.
- We will respond to all reported incidents in a supportive and constructive manner, investigating as appropriate, and applying sanctions where necessary.
- We take our duty of care to our students and staff very seriously. We believe that no person should suffer the effects of sexual assault or sexual misconduct alone and will ensure that there is appropriate specialist support available.

**If you are a student and have experienced or witnessed sexual assault, sexual misconduct, or harassment, or if you have concerns about a person or situation, please speak to any other member of academic or professional support staff. This may include a Student Success Tutor (SST), lecturer, Level**

Lead, or a member of the Student Support and Wellbeing team—such as the Head of Student Welfare, the Safeguarding and Wellbeing Coordinator, or the Student Conduct Manager. If you disclose something to a member of our Customer Services team or through the main switchboard, they will ensure your concern is passed on promptly and sensitively to the appropriate team.

If you are a GBS member of staff, and have experienced or witnessed sexual assault, sexual misconduct, or harassment, or if you have concerns about a person or situation, please speak to your line manager, a trusted colleague, a member of HR, or the designated Senior Employee Relations (ER) Manager. You can also report concerns via the *Speak Up* confidential reporting channel. All disclosures will be taken seriously and handled sensitively, with support provided as needed

Full details of how to raise a concern, and how GBS will respond, are available in the relevant procedural documents for staff and students.

### 3. Scope

#### 3.1

This Policy covers all incidents of sexual assault, sexual misconduct or sexual harassment, and applies to:

- all students of GBS: any individual registered on any programme of study at GBS, including summer/evening school or short courses, including (without limitation) students studying away from our premises as part of their course/programme and apprentices.
- all GBS members of staff: all individuals employed or engaged by GBS, whether paid or unpaid, to carry out work for GBS. This includes (but is not limited to): employees, managers, executives and board members, agency workers, temporary staff, contractors, volunteers and research staff; students undertaking paid work for GBS;

This Policy also applies to incidents arising outside of the immediate GBS context, but where a member of staff or student is involved or affected.

This Policy is supported by, and should be read alongside:

- Student Code of Conduct
- Student Complaints Policy and Procedure
- Student Disciplinary Policy and Procedure
- Anti-Harassment and Anti-Bullying Policy and Procedure -Students
- The Disciplinary Policy and Procedure (for Staff);
- GBS Anti-harassment and anti-bullying Policy and Procedure – Staff;
- The Safeguarding Policy;
- The Prevent Policy;
- the Policy on referral to police or other relevant authorities of alleged criminal offences;
- GBS Guides: 'Help and Support after Sexual Assault' and 'Guidance for students accused of sexual violence or misconduct' (in draft); and,
- GBS Policy on Consensual Relationships (in draft).

#### **4. Definitions**

##### **4.1 What is sexual misconduct?**

Sexual misconduct is any unwanted conduct of a sexual nature. It can occur in person, online (for example, by email, messages or on social media), by letter, telephone or text, or otherwise. Sexual misconduct includes, but is not limited to:

- Rape, i.e. sex without consent, as defined within the Sexual Offences Act 2003.
- Sexual assault: sexual touching of another person without their consent; or engaging, or attempting to engage in a sexual act with another individual without consent; or any unwanted physical sexual advances.
- Sexual harassment: unwanted conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others, including making unwanted remarks of a sexual nature.
- Exposing or inappropriately showing intimate parts of the body to another person, in person or through online means.
- Recording intrusive, intimate or explicit images or recordings of a person without their consent.

- Sharing intrusive, intimate or explicit images or recordings with third parties without consent.
- Implied or open threats, intimidation, or promising payment or benefits in kind to gain sexual favours or gratification.
- Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to other people, for example, those who have experienced sexual violence, such as inappropriately themed social events or initiations.

#### 4.2. What is consent?

**Consent** is where a person willingly agrees to something, and that person has both the freedom and the capacity to make their own decision. In particular:

- Silence, or a failure to say no or otherwise resist, is not consent.
- Consent cannot be assumed on the basis of a previous sexual experience or previously given consent. Each new sexual act requires a re-confirmation of consent.
- Once given, consent may be withdrawn by the individual at any time, including during a sexual act.
- A person cannot give consent if they do not have capacity to consent. A person may not have capacity to consent due to their age, or due to a mental or developmental disability, or because of intoxication (e.g. being drunk or on drugs). A person that is asleep, not fully conscious (e.g. unconscious, semi-conscious, or in a state of intermittent consciousness), or in any other state of unawareness does not have capacity to consent.
- A person's consent is not valid if they have been coerced, forced, threatened, intimidated, misled or pressured into doing something, expressly or otherwise. Lying to a person about a sexual act, for example by saying you will wear protection and then failing to do so, may also void consent.
- An imbalance of power can undermine consent. Given the inherent imbalance of power in the academic context, GBS strongly discourages intimate relationships of any kind between staff and students.

## 5. Principles

- 5.1 We expect all members of the GBS community to:

- Read, engage with and uphold this Policy.
- Treat all members of our community with dignity and respect, sharing in our joint responsibility for creating and sustaining an environment which upholds the dignity of all.
- Understand that everyone has an individual duty in the prevention of sexual assault and sexual misconduct, which includes actively maintaining and promoting a safe environment free from sexual assault and sexual misconduct.
- Recognise the significant impact of all experiences of sexual assault and sexual misconduct, and acknowledge the potential detriment to studies and employment, regardless of when the experience occurred.
- Recognise the additional impact that sexual misconduct may have on those who are more vulnerable, by reason of past incidents or by the intersection of such misconduct with any other characteristics protected under the Equality Act 2010.
- Respect the rights of individuals who suffered sexual assault, misconduct or harassment, including their right to make a disclosure or a formal report, and respect and support how they choose to take forward their disclosure or report.
- Report instances of sexual misconduct when they occur and comply fully and openly with any investigatory or disciplinary processes that follow.

In addition to the above, GBS will:

- Work to sustain an equal and safe environment in which a culture of prevention will be promoted through appropriate and consistently applied education and training.
- Actively respond to all reports of sexual assault and sexual misconduct and ensure that, in all cases, reports are carefully and thoughtfully considered by appropriate staff members through a process that is transparent and clearly communicated to the individuals involved.
- Widely publicise this Policy and ensure all members of staff and students are aware of its contents.
- Ensure that all staff in relevant roles are aware of this Policy and are trained in its application as appropriate to their roles.



- Ensure that there is a named support person available to provide support for all affected by sexual misconduct.
- Work with local partners, including the Police, and other key groups to forge positive relationships to support all our work in this area, from prevention to enquiry and post-incident care.
- Be mindful of our civic responsibilities to the wider community.
- Seek to learn from experience, so that our community remains safe and supported to the best of our ability.

## 6. Roles and Responsibilities

This Policy is the responsibility of the Deputy CEO. It has been agreed and approved by the XXX Group and by the Board of Governors, following consultation with relevant stakeholders.

**Commented [NG1]:** Relevant Group or committee needs adding

### 6.1. Monitoring and Oversight

The application of this Policy is overseen by the Dean of Students, with the management and support of the Deputy CEO. The Head of Human Resource provides additional management and support where staff are concerned.

Strictly subject to confidentiality and data protection requirements, aggregate details of reports and disclosures are summarised and formally reported by the Deputy CEO to the GBS Academic Board and Board of Governors on an annual basis. This allows for appropriate oversight of the use and impact of this Policy and GBS's efforts more generally.

For more information on how GBS manages personal data, please see the GBS Privacy Policy :<https://gbslife.myintranet.com/intranet/documents/21/204> or contact GBS's Data Protection Officer on [DPA@globalbanking.ac.uk](mailto:DPA@globalbanking.ac.uk) .

### 6.2 Sanctions

All reports of sexual misconduct will be reviewed and appropriately investigated. Sexual assault and sexual misconduct constitute serious breaches of this and other GBS policies, such as the Safeguarding Policy and the Prevent Policy, and as such

could ultimately result in dismissal (for employees) or termination of registration (for students).

Where the conduct may constitute a crime, it may also be reported to the police and appropriate authorities for investigation. Conduct that raises fitness to practice concerns will be reviewed under the appropriate procedures.

Individuals have a right to raise concerns under this Policy. Victimisation of any individual who raises a concern will not be tolerated and will be dealt as a (further) breach of the GBS's applicable policies.

## **7. Policy Amendment and Administration**

7.1 This policy may be amended by GBS at any time. If there are any queries relating to policy administration, please contact the Academic Standards and Quality Office at [asqo@globalbanking.ac.uk](mailto:asqo@globalbanking.ac.uk).

## **8. Data Protection and Confidentiality**

8.1 GBS is registered with the Information Commissioner's Office as a Data Controller. Details of the School's registration are published on the [Information Commissioner's website](#). GBS as a Data Controller implements appropriate technical and organisational measures to ensure that processing of personal information is performed in accordance with the UK General Data Protection Regulations (UK GDPR) and under the Data Protection Act 2018 (DPA).

## **9. Alternative Format**

9.1 This policy can be provided in alternative formats (including large print, audio and electronic) upon request. For further information, or to make a request, please contact the Academic Standards and Quality Office at [asqo@globalbanking.ac.uk](mailto:asqo@globalbanking.ac.uk).

**Appendix : Additional resources**

Have you suffered  
**assault or harassment?**  
Are you worried about  
someone?

You can talk to us:

Students: [Safeguarding Concern Form](#)  
[safeguarding@globalbanking.ac.uk](mailto:safeguarding@globalbanking.ac.uk)

Staff: use our confidential reporting tool  
[SpeakUp](#)

Or email: [hr@globalbanking.ac.uk](mailto:hr@globalbanking.ac.uk)

**GBS provides 24/7 wellbeing platform for students in partnership with TalkCampus.**

This platform can be accessed by downloading the App or  
scanning the QR code:





**GBS Staff have access to the Confidential Reporting tool [SpeakUp](#)**

This anonymous, confidential channel allows you to report ethical misconduct.

For more details, please refer to our policy page.

[How do I speak up via the web as a Reporter? - Help Center - Confluence](#)

[How do I speak up via the app as a Reporter? - Help Center - Confluence](#)

Scan here for the  
Speakup website



Staff can also use our Employee Assistance Programme (EAP) Helpline

Unlimited access to our 24/7/365 confidential UK based telephone helpline for you and your immediate family members\*\* by calling 0800 028 0199