

# Harassment and Sexual Misconduct Policy

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## 1 – Introduction

- 1.1** - Leeds Trinity University is committed to creating and maintaining a safe, welcoming and inclusive community for all students.
- 1.2** – Preventing and eliminating harassment and sexual misconduct is a key component of that commitment. The University addresses such matters through a variety of methods including robust reporting procedures, tailored support, thorough and fair investigations, online resources and training for staff and students.
- 1.3** - The University seeks to empower individuals to feel able to disclose incidents of sexual misconduct and harassment, confident in the knowledge that they will be listened to, and that the University has robust procedures in place for managing such disclosures.
- 1.4** – This Policy outlines how individuals can report to the University, the support available to our students, and procedures by which cases can be investigated and addressed.
- 1.5** – The University has a dedicated website, ‘Bullying Harassment and Sexual Misconduct Guidance and Support’, including support information, resources, contacts, relevant policies and an online reporting tool.

## 2 - Definitions and Related Policies

### Definitions

**2.1 – Sexual Misconduct:** The definition for ‘Sexual Misconduct’ in this policy is based on Section 26 of The Equality Act (2010), and guidance outlined in the Office for Students Condition E6:

Defined as any unwanted sexual behaviour or attempted unwanted sexual behaviour, including but not limited to sexual abuse, sexual assault, rape, sexual harassment, coercion and image-based abuse or exploitation. It may also include comments or conduct of a sexual nature that creates a hostile or degrading environment.

- a. Sexual Misconduct can involve one or more incidents and actions constituting harassment, and may be physical, verbal, non-verbal or online.
- b. Anyone can be a victim of sexual harassment and misconduct, regardless of their sex and of the sex of the harasser. What matters is that the conduct is unwanted and unwelcomed by the person against whom the conduct is directed.

**2.2 - Harassment:** The definition for ‘Harassment’ in this policy is based on [Section 26 of The Equality Act \(2010\)](#) and [Section 1 of the Protection from Harassment Act \(1997\)](#), and guidance outlined in the Office for Students Condition E6:

Harassment is unwanted behaviour related to a protected characteristic which has the purpose or effect of violating someone’s dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment is also defined as conduct which occurs on two or more occasions which has the purpose or effect of alarm or distress to another person or people.

- a. The protected characteristics referred to include age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion, belief or non-belief, sex and sexual orientation.
- b. In determining whether behaviour constitutes harassment, the university will consider all available context. This includes considering the perception of the discloser(s) and assessing whether it is reasonable for the conduct to have any 'effects' outlined above in this definition. The University will also consider whether the respondent knows that the conduct could have the effect described, or, whether a reasonable person with the same information would consider the conduct to be likely to have that effect on the other person(s).
- c. Behaviours which could amount to harassment include but are not limited to unwanted: phone calls, letters, emails, voicemails and other forms of messages including images, visits, stalking, verbal abuse of any kind including online, threats, physical behaviour towards a person or their property, mimicry, gestures, and pranks.
- d. Harassment is separate from 'bullying', which is defined under the Student Code of Conduct and is subject to the Student Conduct Procedure. However, it is acknowledged that some cases may be reasonably interpreted as either, due to their similarity.

**2.3 - Discloser:** 'Discloser' (sometimes referred to as 'the disclosing party') in this Policy refers to a person or persons who makes their direct experience of harassment or sexual misconduct known to the university. For this policy, the term specifically refers to the person who was subjected to harassment or sexual misconduct.

**2.4 – Respondent:** 'Respondent' (sometimes referred to as 'the responding party') in this Policy refers to a person or persons who have had an allegation of harassment or sexual misconduct made against them. Respondent is used as they will respond to the allegation made.

**2.5 – Reporting Party:** In this Policy, the reporting party is the person(s) who reports an instance of Sexual Misconduct or Harassment to the University but were not

the subject of the behaviour. Therefore, for the purposes of this Policy, the reporting party is distinct from disclosers. This distinction is important as the wishes of a discloser may inform the action taken by the University.

**2.6 – Consent:** This is defined in [Section 74 of the Sexual Offences Act 2003](#), and is the agreement made to enter into sexual activity where the individual has both the freedom and capacity to make that choice. Consent to sexual activity may be given to one sort of sexual activity but not another and can be withdrawn at any time. Where consent is disputed and fundamental to student cases, decision makers and investigators for the University will consider the Sexual Offences Act definition and guidance on consent outlined in university training and resources.

**2.7 - Student Casework:** The team at the University that manages cases of Sexual Misconduct or Harassment where the respondent is a current registered student.

**2.8 – People and Culture:** The team at the University that manages cases of Sexual Misconduct or Harassment where the respondent is a staff member. The process by which they investigate and determine such cases is not outlined in this Policy.

#### Related Policies

**2.9 - Non-academic Misconduct:** Not a specific policy, but a key term for understanding the policies outlined below. Non-academic misconduct encompasses almost all misconduct that does not relate to assessment, including harassment and sexual misconduct.

**2.10 - [The Student Code of Conduct](#):** Defines behaviour which constitutes non-academic misconduct by a student from the perspective of the University.

**2.11 - [The Student Conduct Policy](#):** Provides the scope of student conduct procedures and the key principles that underpin how the University approaches

student non-academic misconduct cases. Outlines the rights of all Leeds Trinity University (LTU) students involved in LTU conduct procedures and the powers at the University's disposal to respond to misconduct and investigate allegations.

**2.12 - [The Student Conduct Procedure](#):** Contains detailed information on the procedures and processes that the University undertakes to investigate and address non-academic misconduct. The procedure is subject to the terms set out in The Student Conduct Policy. Sexual Misconduct and Harassment cases may be investigated and determined through this procedure.

**2.13 - Fitness to [Practise Policy and Procedure](#)** – Provides a process whereby the University can assess whether students enrolled on a programme which is recognised by a PSRB (Professional, Statutory, and Regulatory Body), are suitably qualified and prepared, and demonstrating appropriate skills, conduct, values and attributes, to perform a particular professional role as recognised by the relevant professional body. Fitness to Practise may have relevance where allegations of Sexual Misconduct or Harassment are raised against a student on a programme recognised by a PSRB.

**2.14 - [Support to Study Policy and Procedure](#)** – Provides a framework for supporting any student where there are concerns related to their ability to safely engage with Leeds Trinity University life and study due to ill health. Students may be referred to Support to Study for behaviour if it is deemed that they have breached the Student Code of Conduct primarily due to ill health.

### 3 - Scope

#### Policy Purpose

**3.1** – This Policy has four main purposes:

- a. To express the University's position on harassment and sexual misconduct and related points of Policy (Section 4). The University

position on harassment and sexual misconduct being that such conduct is deemed completely unacceptable by the University.

- b. To outline the reporting options (Section 5) that are available for students and any other individuals who wish to make a report to the University about harassment and sexual misconduct.
- c. To provide information on support (Section 6) that is available within the University for students and recommended external support for students in relation to matters of Sexual Misconduct and Harassment. This includes support and advocacy for all students.
- d. To outline the procedures by which the University will investigate and address sexual misconduct and harassment cases whereby the respondent is a current registered student (Section 7), and where cases may be referred when the respondent is not.

**3.2** - This Policy applies to all current registered students at LTU including all apprentices, partner students, police student officers and post-graduate researchers.

### Case Types

**3.3** – The University is only able to investigate and take disciplinary action under its student conduct procedures when the respondent is a current registered Leeds Trinity University (LTU) student. However, the University can still provide support and guidance for students in cases where the respondent is not an LTU student. The reporting methods and support outlined in this Policy are relevant for students in all cases of harassment or sexual misconduct, irrespective of who the respondent is. In the points below, the steps the University will take for various case types is provided.



- 3.4** - Where a staff member is the respondent, the case will be referred to People and Culture for any required investigation and subsequent action. Such cases will be managed through a different procedure than outlined in Section 7 of this document. In cases where a respondent is a staff member and current registered student, a Governor, or of other status which is not distinctly staff or student, the University will consider the case and context to determine suitable procedure.
- 3.5** - Where students come forward to the University regarding their experience of sexual misconduct or harassment carried out by a person or people who are not a student or staff member, they will have the full support of the University including being provided with information to make an informed choice about whether to report to the Police.
- 3.6** – Where a Police Student Officer is the respondent, cases are subject to procedure set out in the Student Conduct Policy and will be assessed between Student Casework and the appropriate Force representative. This will determine whether internal Police investigation is required, or whether the case is taken forward by the University.
- 3.7** – For cases where the respondent is a Post-Graduate Researcher (PGRs), the director of PGRs may be informed of the case. The PGR Supervisory Team may be informed of case outcomes to assist with PGR administration and wellbeing support.
- 3.8** – Students studying with LTU partners have different reporting and support procedures. Please see Section 8 of this Policy for specific guidance for Partner students.
- 3.9** – Matters which occur on placement which are reported to the University may require additional steps as part of investigation. This is due to the varying requirements of placement providers.

#### Case Authority

**3.10** - In ruling on cases of Sexual Misconduct and Harassment, the University cannot determine that a crime has been committed and is unable to make legal determinations. Through its procedures, the University will decide whether evidence shows, on the balance of probabilities, that alleged behaviour amounted to a breach of the Student Code of Conduct and/or this Policy, or another relevant Policy. If so, it will assess the severity of the misconduct through consideration of all relevant factors, and issue an outcome as deemed appropriate.

**3.11** - Leeds Trinity University can investigate and address matters of harassment and sexual misconduct even if they have occurred outside university premises or facilities. Procedure can be applied to registered Leeds Trinity University students so long as the alleged behaviour contravenes the terms of expected behaviour outlined in this Policy and the Student Code of Conduct. Furthermore, the University's authority extends to relevant matters and actions online, on social media or other digital platforms.

**3.12** – The University can pursue new cases of Sexual Misconduct and Harassment against current registered students where the allegations occurred prior to registration. There is no time limit on how long ago an incident may have occurred for it to be considered by the University. Any decision on whether a case proceeds will be based on the availability of sufficient evidence.

## 4 - Policy Statements

### On Harassment and Sexual Misconduct

**4.1** – Leeds Trinity University is committed to creating an environment where all members of the community are treated with dignity and respect and are free from discrimination.

- 4.2** - Behaviours which amount to Sexual Misconduct or Harassment, as defined in this Policy, are deemed completely unacceptable by the University and are in breach of this Policy and the Student Code of Conduct. Such behaviours will not be tolerated.
- 4.3** - The University will provide options (7.3) to the affected person(s) to allow them to choose how their experience is responded to wherever possible.
- 4.4** - The University treats all reports of harassment and sexual misconduct seriously. The University acknowledges that certain groups, including but not limited to women, people with disabilities, people of colour and members of the LGBTQ+ community are disproportionately affected by harassment and sexual misconduct. The University is committed to utilising, in particular, its Disability, Mental Health and Wellbeing, and Office for Institutional Equity teams to ensure that processes are informed by their expertise, allowing the University to provide adequate support and fair process for all students. The University is committed to condemning, preventing and eliminating harassment and sexual misconduct and is committed to providing a safe and supportive environment for all members of the University community.

#### On Training

- 4.5** - We are committed to ensuring that all staff have an up-to-date understanding of how to recognise and report behaviour that may constitute harassment and/or sexual misconduct.
- 4.6** - Leeds Trinity University staff are required to undertake regular mandatory training to raise awareness of harassment and sexual misconduct, including what each colleague is responsible for individually, alongside how we meet our obligations more broadly as an organisation.
- 4.7** - We also deliver specialist training for all colleagues likely to be involved in receiving disclosures from students about incidents of bullying, harassment and

sexual misconduct, including how to undertake investigations and make decisions in relation to such incidents.

**4.8** – Harassment and Sexual misconduct training is also provided and available to all Leeds Trinity University students, including training on consent. The training is designed to help students understand what bullying, harassment and sexual misconduct can look like, how to recognise unacceptable behaviours, and what to do if you or someone else is affected. It will also highlight the support available at Leeds Trinity University and how to report concerns.

**4.9** - Our training is sourced and/or delivered through approved and credible providers.

#### On Staff/Student Intimate Personal Relationships and Abuse of Power

**4.10** - The University ensures that no undue advantage or disadvantage arises from personal relationships, protecting students and employees alike. The [University Personal Relationship Policy](#) aims to prevent abuses of power and potential conflicts of interest, maintaining a professional environment for both staff and students. It defines expectations for employees regarding appropriate behaviour towards, and interactions with, students and sets out the consequences of violating the policy.

**4.11** – Staff/Student personal relationship policies may vary at Leeds Trinity University partners. Students studying with partners should check their partner specific policy.

**4.12** – The University acknowledges that an abuse of power can arise due to the power imbalance between staff and students. This may result in a student doing, or not doing something they otherwise would have, or entering a personal relationship due to the action or inaction of a staff member. Both of which may constitute examples of an abuse of staff power.

- 4.13**– Issues stemming from an abuse of power, particularly, but not exclusively in the context of a personal relationship, may include a staff member restricting the support available to a student or threatening unfavourable treatment. An abuse of power may also include promises of favourable treatment, resources, references or funding.
- 4.14**– The University is committed to tackling instances of abuse of power through its procedures and encourages the reporting of such instances through the reporting methods outlined in Section 5 of this Policy (Reporting and Disclosure). Students can seek support for harassment and sexual misconduct occurring within a relationship even if the relationship is permitted under Policy.

#### On Freedom of Speech and Expression

- 4.15**– Leeds Trinity University is fully committed to the principle, promotion, and protection of freedom of speech within the law. This includes the principle of academic freedom for its academic staff. As part of this commitment, the University’s [Code of Practice on Freedom of Speech and Expression](#) sets out its values and expectations in relation to freedom of speech, the steps the University will take to promote and secure freedom of speech within the law and summarises how the University will ensure compliance with the Code. The Code is available on the [University’s dedicated webpage](#).
- 4.16** - Where speech is reported to the University as harassment, in accordance with [‘Regulatory advice 24: Guidance Related to Freedom of Speech’](#) from the Office for Students, the University will determine whether the speech is unlawful. Where speech is determined to be lawful and not harassment, the University will not pursue further investigation or procedure in relation to that speech.

## 5 - Reporting and Disclosure

### Informing the University

- 5.1** - Disclosing or reporting to the University does not necessarily mean that the University will initiate investigative or disciplinary procedures. Students may disclose to receive support from the University.
- 5.2** - Students studying with Leeds Trinity University (LTU) partners should report directly to the partner in the first instance (as outlined in Section 8 of this Policy).
- 5.3** - Reports and disclosures made to the University will be handled with appropriate professionalism, sensitivity and confidentiality, in accordance with training and guidance which all LTU staff members receive.
- 5.4** - The primary method for reporting instances of Sexual Misconduct or Harassment to the University is through the 'Report a Concern' forms. Anonymous Reports can be made [here](#). Reports requesting contact details can be found [here](#). Further detailed guidance is provided alongside the reporting tool. The reporting tool can be used by anyone. However, students are encouraged to report to the University in a way which is comfortable for them, whether that is by confiding in a trusted member of staff in person, to student support or other.
- 5.5** – The LTU reporting tool provides an option for anonymous reporting. If a report describes the incident type and other supporting information, with no personally identifiable details, the data compiled will contribute towards regular thematic reviews that inform the development of preventative interventions across the University. If personally identifiable information relating to the respondent and / or victim is included, this may lead to the University contacting those individuals as part of an initial triage and / or to offer appropriate support.

The University will not usually open conduct proceedings against students for reports where the discloser or reporter is anonymous. However, it will consider

each report carefully and may act where an anonymous report points towards other evidence which stands up on its own (for example, the University is directed to video evidence shared online), or if multiple reports are made about the same student(s).

**5.6** – Once a report is made and the person has named themselves, the discloser or reporting party will be contacted with support and/or information to aid their understanding of options and procedures.

**5.7** – Anyone can make a report to the University regarding an incident, even if they are not the primary affected person. This includes witnesses, friends, visitors or members of the public.

**5.8** - Reports made exclusively through parties who have not witnessed or been subject to the behaviour may not be pursued through student casework procedures by the University. This is because such reports may lack substantial evidence, and the input of the primary affected person(s) is normally required.

### Police Reporting

**5.9** – Where reported cases may constitute a criminal offence, disclosers will be supported to make an informed decision about whether to report the incident to the Police. The University will not pressure students to report to the Police but will provide them with support and information. A student's decision to not report to the Police will not be considered as evidence to reach any conclusion in relation to the reported incident(s).

**5.10** - Please see the following government guidance on the process of reporting a rape or sexual assault to the Police and subsequent investigation [here](#).

**5.11** - In exceptional circumstances, where evidence suggests that there is a significant ongoing risk to members of the University or wider community, the University may report the matter to the Police, even if this is not in accordance with the wishes of the affected person(s). Unless in exceptional circumstances,

the University will inform the affected person(s) of their intention to do this and their reasoning.

**5.12** - For cases which are reported to the Police and are pursued under the Criminal Justice System (the Police and Crown Prosecution Service), the University will await the outcomes of those proceedings before conducting its own internal conduct procedures. If the University's procedure is already underway when it becomes aware of criminal proceedings, the University procedure will usually be paused. However, the University may still take 'Precautionary Measures', as outlined in the [Student Conduct Policy](#), meaning that the respondent will be temporarily withdrawn from the University, or excluded, pending the outcome of criminal and then, if necessary, University proceedings.

### Confidentiality

**5.13** – The University is committed to fulfilling its data protection obligations regarding sensitive personal information or “special category data”, therefore, information about students in relation to sexual misconduct and harassment cases will be kept confidential as far as is practicable.

**5.14** – If information must be disclosed, it will be disclosed to as few people as possible, and only to those involved in investigating or deciding the matter, staff involved in relevant University administrative or support processes, or other staff whose role requires them to provide references or be aware of some case information.

**5.15** – In some cases, the University may need to inform relevant third parties of case information in accordance with safeguarding and statutory requirements. This is particularly relevant to Fitness to Practise cases where bodies including but not limited to, the Disclosure and Barring Service (DBS) or Department for Education (DfE) may need to be informed.



- 5.16** – For disclosers and reporting parties, it is important to be aware that it may not be possible to maintain anonymity from the respondent and still proceed with the University procedures. The respondent will usually need to know the identity of the discloser and witnesses to properly respond to allegations.
- 5.17** - Meetings and hearings under this Policy are confidential. Therefore, meetings and hearings will not usually be video, or audio recorded i.e., via Microsoft Teams, unless requested. Students, staff, or others present at any given meeting should not record audio or video of the proceedings unless there is a prior agreement between all participants. Usually, a member of staff will take notes which will act as a record of the meeting. The meeting notes will be shared with the student who will have opportunity to comment on their accuracy from their perspective.
- 5.18** – The University does not use non-disclosure agreements (NDAs) in relation to cases of sexual misconduct and harassment.
- 5.19** – Speculation and gossip relating to cases of Sexual Misconduct and Harassment in-person and online is deemed inappropriate by the University, especially when it contains confidential or personal information. Such behaviour by students would constitute a breach of the [Student Code of Conduct](#).

## 6 - Support and Resources

### Internal

- 6.1** - Upon disclosing or reporting an incident of harassment or sexual misconduct, students will be provided with relevant support options within the University. Students will also be informed of this policy and the Leeds Trinity University (LTU) '[Bullying, Harassment and Sexual Misconduct Guidance and Support](#) site'. This will allow students to access all the information they require to make informed choices in relation to their disclosure or report, or a report made about them.

**6.2 – Student Support** can provide in-person appointments at both campuses, with additional support provided through phone, email, and virtual appointments. Student Support includes Disability Services ([disability@leedstrinity.ac.uk](mailto:disability@leedstrinity.ac.uk)) and the Money Advice Service. For all meetings related to matters of sexual misconduct, harassment and other student conduct, students can contact Student Support ([studentsupport@leedstrinity.ac.uk](mailto:studentsupport@leedstrinity.ac.uk)) to request that a member of the team attends the meeting with them as their supporter.

**6.3 – The University Student Mental Health and Wellbeing Team** provides students with the support and space to explore and understand their difficulties – including experiences relating to sexual misconduct and harassment. The service offers appointments with a team of qualified and experienced Counsellors, Cognitive Behavioural Therapists and Wellbeing practitioners. Students can get in touch with the service with any questions or to refer themselves either through the [MyLTU](#) app or by emailing [studentwellbeing@leedstrinity.ac.uk](mailto:studentwellbeing@leedstrinity.ac.uk).

**6.4 - Sexual Violence Liaison Officers (SVLOs)** can support students who have experienced any type of sexual violence/misconduct, regardless of whether it happened on or off campus, or whether it happened before or during your studies at Leeds Trinity University. The SVLO team will treat each case with sensitivity and respect, and they will listen empathically without judgement. University teams such as the Student Support or Mental Health and Wellbeing teams can make referrals to the SVLO team. SVLOs can also, with consent, liaise with external organisations and other university staff/services. SVLOs provide advice and support and will not pressure anyone into taking any particular course of action.

**6.5 - Leeds Trinity Student Union (LTSU)** also offers support ranging from academic to finance to mental and physical health. In relation to this Policy and university procedures, students can seek independent advice and support from [LTSU](#). LTSU can also provide staff to attend meetings and hearings with students as their supporter.

**6.6 – Academic support** may be available for students who are involved in cases of harassment or sexual misconduct, including mitigating circumstances. Students should contact their personal tutor as needed for academic support.

#### External

**6.7** - Although never intentional, the University acknowledges that some communications and outcomes associated with this policy may cause distress, and students may wish to seek support elsewhere. There are external services available such as the [Leeds Mental Health helpline](#), which provides confidential support, advice, information, and NHS guidance for anyone concerned about their mental health and is available 24/7 to residents of West Yorkshire and surrounding areas. They can be reached on 0800 183 0558. Alternatively, [Togetherall](#) provides 24/7 professional anonymous support with trained counsellors, or students can contact [Student Space](#).

**6.8 - West Yorkshire Sexual Assault Referral Centre (SARC) – The Hazlehurst Centre:** Located in Leeds, the [Hazlehurst Centre](#) offers free, confidential healthcare and support for anyone in West Yorkshire who has experienced sexual violence (under 16s require a referral). Services include Forensic Medical Examinations (FME), emergency contraception, and advice on how to access STI testing. They also store evidence from an FME for up to two years regardless of whether the incident has been reported to the police. You can self-refer by calling 0330 223 3617 or emailing [hazlehurstcentre.sarc@nhs.net](mailto:hazlehurstcentre.sarc@nhs.net).

**6.9 - Support After Rape & Sexual Violence Leeds (SARSVL):** SARSVL provides free, confidential support for women and girls aged 13 and over in Leeds who have been affected by sexual violence. Their services include a helpline which can be reached via 0808 802 3344 (please refer to the website linked below to check the times when this is available). **They can also be contacted via email at [support@sarsvl.org.uk](mailto:support@sarsvl.org.uk).** SARSVL also has an **Advocacy (ISVA) Service** which helps disclosers through the criminal justice process. They also offer specialist

trauma-informed therapy and counselling. More information is available at [supportafterrapeleeds.org.uk](http://supportafterrapeleeds.org.uk).

**6.10 - Victim Support (West Yorkshire):** Offers free, confidential support to anyone affected by crime, including sexual violence. Support is available 24/7, regardless of when the incident occurred or whether it was reported to the police. Victim Support also provide Independent Sexual Violence Advocates (ISVAs) who can provide tailored support and practical advice. Contact them at 0300 303 1971 or via [victimsupport.org.uk](http://victimsupport.org.uk).

**6.11 - Rape Crisis England and Wales:** Offers a free phone (0808 500 2222) and online chat service for anyone aged 16+ in England and Wales who has been affected by any kind of sexual violence, abuse or harassment. Run by the national charity Rape Crisis England & Wales, the Support Line is staffed 24 hours a day by a trained team of specialists. For more information, please visit [24/7 Rape and Sexual Abuse Support Line](http://247RapeandSexualAbuseSupportLine.org.uk).

## 7 - Procedure and Investigation

### Options for Disclosers

**7.1** – The University strives wherever possible to offer optionality to disclosers so that they can dictate how their experience is responded to.

**7.2** – In exceptional circumstances, the University may open a case and investigation against a respondent against the wishes of the discloser. The University will inform the affected person(s) of their intention to do this and their reasoning. This will usually occur in rare circumstances when the University has received sufficient evidence to establish a case without the disclosers input or further input. The evidence would also suggest that the continuation of the respondent as a member of the Leeds Trinity University (LTU) community may constitute a

risk to the welfare, health or safety of LTU members and the wider community, and therefore, would require review through LTU procedures.

**7.3** – When a student discloses to the University that they have been subject to Harassment or Sexual Misconduct, there are four primary options available to them as outlined below. Procedure and support vary for students with LTU partners - please see Section 8 of this Policy for guidance.

- a) **Support**. Support will be immediately offered to the student(s). The range of internal and external support options available to students is highlighted under Section 6 of this Policy and on the ‘Bullying, Harassment and Sexual Misconduct Guidance and Support’ site. Support from the University can run parallel to any other option chosen by the student for the entirety of their time at LTU. The University can also help refer students to external support services.
- b) **Police Reporting**. The University can support the discloser to make an informed choice on whether to report the matter to the Police as highlighted in 5.9 through 5.12 of this Policy. Students can make a report to the Police at any time and in some cases, may have reported to the Police prior to making a report to the University.
- c) **University Investigation - Student Casework**. Where the respondent is a current registered student, the discloser can request that the University opens an investigation into the matter and addresses it in accordance with its procedures. Such cases will be managed primarily by Student Casework. If the respondent is a member of staff, the case will be referred to and managed by People and Culture under their [procedure](#).
- d) **Informal Resolution**. The Student Casework Team (or People Services if a staff member is involved) and Student Support teams can assist students in the facilitation of informal resolution strategies in accordance with their wishes where appropriate.

**7.4** – Where the discloser is not a current registered student or staff member, but the respondent is, the University will typically perform an initial investigation to determine appropriate action in accordance with LTU procedures.

#### Student Casework Procedures

**7.5** – If the discloser requests that the case against a current registered student is investigated by the University, the University will usually investigate and address the matter through the Student Conduct Procedure which can be accessed through the University website or [MyLTU](#).

**7.6** – A trained member of staff will investigate the allegations. This will usually be a member of the Student Casework Team. Based on the investigation, they will issue an outcome at Level 1 of the Student Conduct Procedure or escalate the case and associated evidence to a Student Conduct Panel (Level 2 or 3) depending on the severity of the allegations.

The Student Conduct Panel is comprised of three senior members of staff, one of whom serves as Panel Chair. A hearing with the respondent is held, and the Panel determines an appropriate outcome based on the hearing and available evidence. Respondents have a right to appeal the outcome given to an appeals committee. After the appeal stage, respondents have the right to submit a complaint to the Office of the Independent Adjudicator (OIA). For further detail on this procedure and Student Conduct Panels, please refer to the [Student Conduct Procedure](#).

**7.7** – The University's standard of proof to uphold allegations is 'on the balance of probabilities', meaning that based on the evidence available, it is more likely than not that the misconduct took place. Due to holding a lower standard of proof than the criminal justice system, the University reserves the right to use misconduct proceedings irrespective of a decision not to proceed with a case by the Police or Crown Prosecution Service, or upon a not guilty verdict in a criminal

court. Cases may not proceed past initial investigation if there is insufficient evidence on which to predicate a case.

**7.8** - Cases may also proceed under the [Fitness to Practise](#) or [Support to Study Procedures](#) if evidence suggests they are more appropriate procedural routes.

**7.9** – In some cases, the University may choose to appoint an experienced external investigator. The investigator will be asked to produce a report on the case for submission to the Student Conduct Panel and may be asked to attend. The Student Conduct Panel will be administered in accordance with Section 8 of the Student Conduct Procedure. The Panel will carefully consider the evidence and contents of the report in their decision.

**7.10** – For all cases where the respondent is a current registered student, the University will apply the key principles which are outlined in the Student Conduct Policy and adhere to the principles of natural justice. The respondent will have access to and be informed of a range of support and advice options. They will have opportunity to request reasonable adjustments. They will have opportunity to present their case and respond to allegations. They will have opportunity to see and respond to the evidence against them. They will be clearly informed of the procedural steps and given fair notice in relation to meetings and hearings.

**7.11** – During formal cases, it is expected that the discloser and respondent will not have contact unless absolutely necessary and a No Contact Order as outlined in 7.22 below will usually be put into place. Efforts from respondents to contact others involved in the case will be taken very seriously, particularly when it is regarding the case or is to criticise or intimidate witnesses or disclosers.

**7.12** - If the matter is reported to the Police, any University conduct proceedings will be paused until after the completion of the criminal process. However, the University may still enact Precautionary Action as outlined in the Student Conduct Policy and suspend or exclude the respondent for the time in which a Police or University procedure is ongoing.

**7.13** - Following the conclusion of formal process, the discloser(s) (and others affected as decided by the Panel) will be informed of whether the allegations

against the respondent were upheld with reasoning and any action taken. They will not receive full details or documentation due to confidentiality.

**7.14** - The University will aim to conclude student cases as quickly as is reasonably possible while still maintaining thorough investigations and procedure. Cases will normally be concluded within 90 days of the start of an investigation. This excludes time where Police and legal proceedings ongoing and University investigation and procedure is paused.

**7.15** – After the end of the procedure, a case may be re-opened if new evidence comes to light which has potential to demonstrate that allegations which were previously not-upheld did occur. A case may also be re-opened if the new evidence has potential to demonstrate that the outcome given, even if upheld, was insufficient or excessive. The University will carefully consider the merit of new evidence before opening a new investigation.

#### Informal Resolution

**7.16** – Disclosers can request informal resolution which will usually be coordinated by Student Support and Student Casework. Representatives of the accommodation team, academic schools and other teams may also be involved in accordance with the wishes of the discloser.

**7.17** – Disclosers should be aware that informing the University of details that raise safety concerns may mean that the University is required to take additional action. This may mean that informal resolution cannot be used independently.

**7.18** – When all parties agree, trained University staff can help to facilitate and support mediation and informal conversations between the discloser and respondent, with the aim of reaching an amicable agreement on how to move forward.

**7.19** - The University can also offer informal reminders, No Contact Agreements and No Contact Orders. NCOs are written agreements signed or agreed to in writing



by the parties involved which stipulate that no intentional contact should occur between them.

**7.20** – No Contact Agreements and Orders are intended to be supportive to all parties and prevent further interactions which may cause uncertainty or distress or may affect an investigation. Respondents who are issued a No Contact Order should know that such action is not a determination that they are responsible for any allegations made or of the eventual outcome of an ongoing investigation – it is simply a way of preventing contact to mitigate risk and/or to ensure a reasonable request of no contact by another student is adhered to.

**7.21** - No Contact Agreements are coordinated by Student Casework and Student Support. They are a mutual agreement between all parties that they shall not contact each other for an agreed duration. This will be formalised into a written letter of agreement which all parties must sign or respond to in writing to indicate their agreement.

**7.22** - No Contact Orders are usually implemented by the University in accordance with the wishes of a discloser. They take the form of a letter which stipulates the conditions of the No Contact Order to a respondent. Breaching the terms of the order will result in further disciplinary proceedings. Disclosers will also be asked to agree to the terms in writing and not contact the student(s) the order has been issued to. Contact from the discloser may prevent the University from being able to act against future breaches and may render the order void.

### Process Flowchart

**7.23** – Below is a flowchart which shows the potential routes of process where the University receives a named report about harassment or sexual misconduct. A text description of the flowchart has also been provided in 7.24 for audio formats.

**7.24 - Step 1:** a named report is made to the University. For detail on anonymous reports, please see 5.5 of this Policy.

This report will be made to the University or a partner institution. Where it is made to a partner institution, please see section 8 of this Policy for information.

**Step 2:** When it is made to Leeds Trinity, in the first instance, support and support information is provided to the student or reporting party. Support will be available throughout all processes.

**Step 3:** The flow then splits into three routes of potential process.

Route 1: The University can support that student to make an informed decision about whether to report the matter to the Police. During Police or Legal proceedings, LTU procedures are usually paused until the end of that process. When that legal process ends, if the respondent is a current registered LTU student, the University process may resume, and the matter will be responded to under the Student Conduct Procedure or other relevant procedure.

Route 2: The matter is responded to by the University and investigated accordingly in line with the Student Conduct Procedure or other relevant process, like Fitness to Practise. This is only applicable if the respondent is a current registered student. If the respondent is a staff member, People and Culture will investigate and address the case in line with their procedure. Appropriate action will be taken based on the outcome of the procedure.

Route 3: Informal resolution. See points 7.16 and 7.22 of this Policy for information on informal resolution.

## 8 – LTU Partners

**8.1** – Relevant partner institutions are listed below:

- BAC International Study Centre - Bangladesh
- Barnsley College.
- [Bradford College](#).
- [Global Banking School](#) (GBS).
- [LD Training Services Ltd](#) (LDT).
- [Results Consortium](#).
- [Scholars School System](#) (SSS).
- UEF (University of Economics and Finance) - Vietnam
- [Waltham International College](#) (WIC).

**8.2** – Some Leeds Trinity University (LTU) partners have alternate arrangements than are outlined in the rest of this section. Barnsley College and Bradford College will usually manage their formal investigations and procedures involving LTU students. International partners, including BAC International Study Centre, and UEF (University of Economics and Finance), will usually manage their own cases, but LTU may have a role in the investigation and support of harassment and sexual misconduct incidents as required for any specific case.

**8.3** - Students studying with Leeds Trinity University (LTU) partners should report instances of Sexual Misconduct or Harassment directly to partners through their relevant local procedure.

**8.4** – Partner students who require support services should also contact the relevant partner for support. This applies to disclosers and respondents studying with LTU partners.

- 8.5** - The partner institution will usually be responsible for managing any informal resolution for students where required.
- 8.6** – In most cases, LTU will be responsible for investigating and managing sexual misconduct and harassment cases at the formal level where the respondent is a registered LTU student. LTU recognises that there may be some cases where it is more appropriate for formal investigation and process to be led by the partner and will work collaboratively as required on such cases. Students will be clearly informed on the management of cases and relevant policy and procedure.
- 8.7** – Where the respondent is a staff member at a partner institution, the partner’s Human Resources Team will usually be responsible for any subsequent investigation and procedure.
- 8.8** – When a partner institution becomes aware of a case involving an LTU student that may require formal investigation, they will inform the Student Casework Team at LTU ([studentconduct@leedstrinity.ac.uk](mailto:studentconduct@leedstrinity.ac.uk)) so that it can be determined whether the threshold for referral has been met, and, if so, the procedure and support for students involved can be carefully coordinated. This contact should continue throughout the procedure as needed to ensure the case is managed appropriately.
- 8.9** - The partner will share the relevant case information, related documentation and evidence to allow LTU to progress with a case investigation under their procedure.
- 8.10** – At the end of the investigation and/or processes, relevant stakeholders at the partner institution will be informed of the outcomes of the case. This is to ensure appropriate closure of the case as required and to inform the continuation of any necessary support for students.
- 8.11** - Partners are required to report all cases of Harassment or Sexual Misconduct to LTU where the affected person(s) or respondent is an LTU registered student. This includes anonymous reports and reports which are not being taken forward for formal investigation so that they can be recorded for data and/or support purposes.

## Partner Process Flowchart

**8.12** – Below, a flowchart has been included for the usual partner case process. A text description of the flowchart has also been included for audio formats.

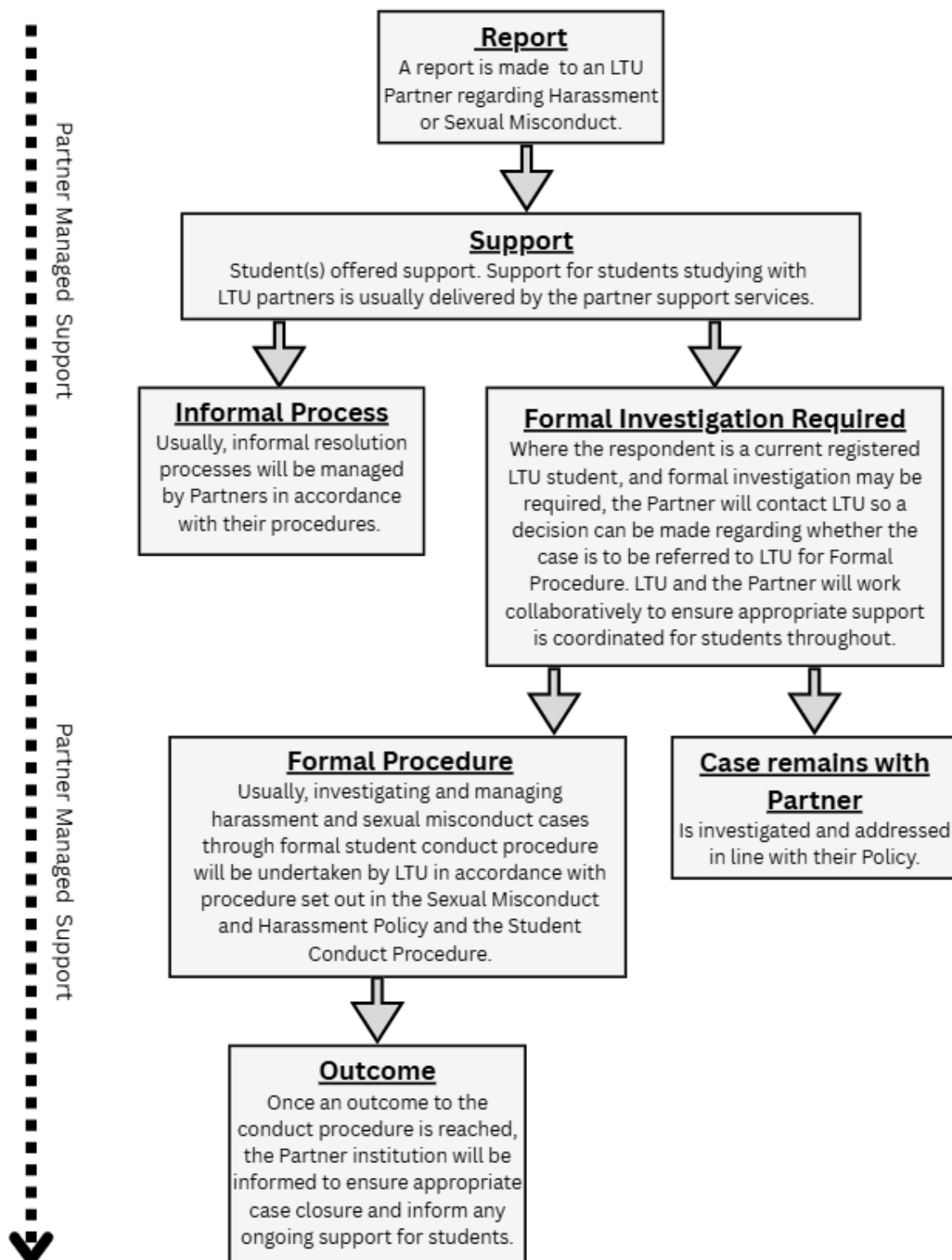
**8.13 – Step 1:** A report is made to an LTU partner regarding harassment or sexual misconduct.

**Step 2:** Support is provided to the student, usually by the partner. This support will be available to students throughout any process.

**Step 3:** The process splits into two routes.

Route 1: Informal resolution is managed by the partner as required in line with their policy.

Route 2: Where Formal Investigation may be required, the Partner will contact LTU so a decision can be made on whether the threshold for formal investigation has been met. The case will then either remain with the partner to be managed under their processes or referred to LTU for formal investigation and procedure.



## 9 - Policy Review and Ownership

- 9.1** – This Policy has been written in accordance with guidance issued by the Office for Students including their E6 Condition on Harassment and Sexual Misconduct.
- 9.2** - This Policy will be reviewed annually by the University. LTU will continue to consider and implement changes in accordance with relevant sector guidance from the Office for Students and other relevant bodies.
- 9.3** – The University will also produce an annual report on case statistics and other relevant data for cases which are subject to this Policy.
- 9.4** – Below, a tracker has been set out which provides links to previous policy additions and outlines changes which were made to each addition.
- 9.5** - If you spot anything in this policy which has become outdated or inaccurate, even if just a link that no longer works, we always appreciate this being reported to us at [studentconduct@leedstrinity.ac.uk](mailto:studentconduct@leedstrinity.ac.uk) so we can make amendments and ensure accuracy.
- 9.6** - The Governors of Leeds Trinity University have ultimate responsibility for all matters of student conduct including that of Sexual Misconduct and Harassment. The Vice Chancellor shall act on behalf of the Governors within the terms set out in this policy and the Student Conduct Procedures. The Vice-Chancellor has ultimate responsibility for determining any issues of interpretation and for providing any clarification on the terms of the Policy. Their decision will be final.

### Revision History

This section outlines an overview of the yearly revisions made to this document and provides links to those previous versions. This Policy is reviewed annually. Associated policies, in particular those in section 2.10 – 2.14, will also be reviewed to make necessary amendments in light of changes made to this Policy.

**August 2025 Version:**

- New policy version introduced replacing previous [Sexual Misconduct Policy](#).

**August 2026 version:**