

Harassment Sexual Misconduct Policy

For students, staff, and visitors

1. POLICY PRINCIPLES

1. **Ridley Hall** will actively respond to all reports of harassment and sexual misconduct that we receive. Reports will be carefully recorded and thoughtfully addressed by relevant staff members through a process that is transparent and clearly communicated to the individuals involved.
2. **Ridley Hall** recognises that an experience of harassment and / or sexual misconduct may constitute a criminal offence and we will offer information and support to any reporting party who wishes to make a report to the Police.
3. We will ensure all **Ridley Hall** staff, contractors, students, and visitors are informed of the Policy and are trained as appropriate to their roles. All staff involved in the process will always act with impartiality and discretion.
4. We will ensure that there is appropriate support for those who disclose that they have been affected by harassment and / or sexual misconduct and for those who have been affected by an accusation of harassment and / or sexual misconduct regardless of when and where the incident(s) occurred.
5. We will record all reports and will assess and investigate reports, as appropriate, under the accompanying [procedures](#). Any Investigations will be led by a senior member of college staff appointed as appropriate to the situation. All investigations conducted will be credible, fair, and reflect established principles of natural justice. Judgements will be made on the balance of probabilities, the civil standard of proof, in line with our [Student Code of conduct](#) and the Employee Handbook.
6. Any judgements reached as part of an investigation relate to a breach of Policy and do not constitute a legal ruling on whether or not criminal activity has taken place.
7. **Ridley Hall** is committed to fostering a community where every individual is treated with dignity and respect. We will reflect on all reports we receive, our student and staff training, policies, processes and procedures, to identify and implement further steps to prevent harassment and sexual misconduct.

2. SCOPE OF THE POLICY

2.1 This Policy relates to all incidents of harassment and sexual misconduct. For the purposes of this policy, these are used as umbrella terms to include bullying, discrimination, hate crime, antisemitism, islamophobia, physical violence, domestic abuse and coercive or controlling behaviour, spiking and stalking, as well as complicity, retaliation, vexatious reporting, malicious reporting, and victimisation.

2.2 Harassment and sexual misconduct include a broad spectrum of behaviour. A non-exhaustive list of examples of the types of behaviour that will constitute a violation of this Policy is provided in Section 3.

2.3 Under this Policy all students, staff members, and contractors, who have been affected by harassment and / or sexual misconduct or by an accusation of harassment and / or sexual misconduct will have access to support and [signposting to external specialist support](#), regardless of when or where the experiences occurred.

2.4 Reports of such behaviour will be investigated by **Ridley Hall** under the relevant staff or student procedure and disciplinary process as appropriate. **Ridley Hall** can investigate experiences of harassment and / or sexual misconduct which have occurred during the course of study or work at **Ridley Hall**. Disclosures and reports made under this policy are not limited to experiences that have occurred on **Ridley Hall** premises, **Ridley Hall** business, or the immediate geography of **Ridley Hall**. Harassment and sexual misconduct can occur in-person or online, during or outside of term time, on or off **Ridley Hall** business and on or off **Ridley Hall** premises. The key measure to determine if **Ridley Hall** can investigate and make a determination of misconduct is whether the incident(s) occurred whilst the responding party was a current student or employee / contractor of **Ridley Hall**.

2.5 If the responding party is not a current student or employee / contractor of **Ridley Hall**, but is an employee / contractor of one of our partners, the reporting party will be directed to the relevant third party organisation.

2.6 Some incidents of harassment and / or sexual misconduct may also constitute a criminal offence under English law. Such incidents may be addressed through criminal proceedings, internal disciplinary proceedings, or, in some cases, both criminal and internal proceedings. Apart from when safeguarding concerns dictate otherwise, the choice to pursue criminal or internal proceedings will be left with the reporting party. Internal proceedings will not commence until any criminal proceedings have been concluded.

3. DEFINITIONS

3.1 The definitions in this section have been separated into examples of the types of behaviour captured under this policy which amount to policy breaches (misconduct) and clarification of the terminology used within the policy.

3.2 **Ridley Hall** recognises that many terms related to sexual violence are not always clear legally and contractually, are often socially defined, and that language can change over time. The policy aims to outline examples of behaviour not tolerated within our community, but these behaviours are not an exhaustive list.

3.3 Harassment can be deliberate or unintentional; for the purpose of this policy, the intention of the responding party is not deemed relevant. In reports of harassment or related behaviours, the perception of the person who is at the receiving end of the conduct, the other circumstances of the case, and whether it is reasonable for the conduct to have that effect, will all need to be taken into account in deciding whether conduct constitutes harassment (i.e. has the effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment towards that person). The consideration of wider circumstances and the reasonableness of the effect of the conduct will provide an important element of objectivity in these reports, particularly in instances where **Ridley Hall** may feel pressure to curtail speech which is lawful, but which is perceived as offensive towards a particular person or group of persons.

3.4 **Ridley Hall** has particular regard for, and places significant weight on, the importance of the freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context or environment. As such, we deem the following 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.

3.5 Some of the behaviours listed in this section may amount to a criminal offence and may be reported to, and investigated by, the Police as part of criminal proceedings. Should these behaviours also be subject to a **Ridley Hall** investigation, **Ridley Hall** would not require a criminal standard of proof and nor would any judgement reached as part of an investigation constitute a legal ruling on whether or not criminal activity has taken place.

Types of Behaviour which are considered a Breach of Policy (Misconduct)

3.6 Harassment

Harassment is unwanted behaviour which violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment is against the law when the unwanted behaviour occurs because of, or connected to, one or more of the following protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or

belief, and sexual orientation. Harassment can also consist of a course of conduct that harasses a person, including causing them alarm or distress.

Harassment can take the form of physical, verbal and non-verbal conduct and so can include social media communications, telephone communications, filming or taking pictures of people and/or using these without their knowledge or consent.

Harassment is a breach of policy when directed at any **Ridley Hall** student, member of staff, or visitor.

This is not an exhaustive list, but examples of harassment may include:

- unwanted physical conduct or ‘horseplay’ including touching pinching, pushing, grabbing, brushing past someone, and more serious forms of physical or sexual assault;
- offensive or intimidating comments or gestures, or insensitive jokes or pranks;
- mocking, mimicking, or belittling a person’s disability;
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about an ethnic or religious group or gender;
- outing or threatening to out someone as gay, lesbian, bisexual or trans.

Harassment is often persistent, although a single incident may be serious enough to constitute it. Often the impact is not felt or witnessed immediately. The impact may go beyond the recipient to people who see or hear what happens or who try to offer support.

3.7 Sexual Misconduct Sexual Misconduct is defined as any unwanted and/or non-consensual conduct which could reasonably be perceived as sexual in nature. This can be a one-off incident or a pattern of behaviour which occurred in person or by letter, telephone, text, email or other electronic and/or social media. It can be physical and/or non-physical. Under this policy, this umbrella term also includes domestic abuse, coercive and controlling behaviour, spiking and stalking regardless of sexual abuse being present. Examples of sexual misconduct include but are not limited to:

3.7.1 Non-consensual sexual act: Engaging or attempting to engage in a sexual act with another individual without consent. This may include, for example, the penetration, or attempted penetration, of someone’s vagina, anus, and/or mouth with a body part/object or making someone engage in a sex act without their consent.

3.7.2 Non-consensual sexual touching: Sexually touching another person without their consent. This may include, for example, kissing, or touching someone above or underneath clothing. **3.7.3 Sexual harassment:** unwanted and unwelcome words, conduct, or behaviour of a sexual nature that has the purpose or effect of creating (or

that could create) an intimidating, embarrassing, hostile, degrading, humiliating or offensive environment for the recipient. 3.7.4 **Indecent exposure:** inappropriately showing one's sexual organs/genitalia to another person. This can include directing this behaviour to a specific person and/or more generally with no targeted person, but where individuals are subjected to this without their consent. 3.7.5 **Stalking:** unwanted, repeated, fixated, obsessive and / or controlling behaviours that are intrusive and make the recipient distressed or scared. Examples may include regularly following someone, sending unwelcome gifts, making unwanted or malicious communication, checking someone's internet use, interfering with their property, using their friends/loved ones to gain information about them and /or send messages to them, watching or spying on someone. 3.7.6 **Image-based sexual abuse:** recording and / or sharing intimate images or recordings of another person without their consent, threatening to share private sexual images without consent, and/or upskirting. This includes content that has been artificially generated and/or digitally altered. 3.7.7 **Promoting Rape Culture:** Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to those impacted by sexual violence, for example social events or initiations themed to promote or under pinned by rape myths. 3.7.8 **Abuse of Power:** Misuses of power enacted by academic, professional, contracted, and temporary staff in their relations with students or misuses of power between students who have unequal institutional power. Examples include inappropriate or unwanted behaviour such as harassment, grooming/boundary blurring, bullying, sexual invitations, comments and non-verbal communication with sexual content or overtones, creation of inappropriate sexual atmosphere, and promised resources in exchange for sexual interaction. 3.7.9 **Domestic / dating abuse and/or coercive or controlling behaviour:** any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been in an intimate personal relationship or are family members, regardless of gender or sexuality. This can include, but is not limited to, psychological, physical, sexual, economic, emotional, identity, and/or spiritual abuse. 3.7.10 **Acts of Force:** physical force, threats, intimidation, or coercion that takes away an individual's freedom to consent to sexual activity. Physical force may include the intentional physical impact upon another, strangulation/choking/suffocation, physical restraint and/or the use of a weapon or an object as a weapon. Spiking also constitutes an act of force. A threat is when there is a negative consequence if the individual said no. Intimidation is the use of power or authority to influence someone's decision and/or physically being larger or stronger than someone where they fear physical violence if they say no. Coercion is when someone is pressured unreasonably for sex, which can include manipulation. 3.7.11 **Complicity:** any act that knowingly helps, promotes, or encourages any form of Sexual Misconduct and Violence by another individual. 3.7.12 **Retaliation:** may constitute any words or actions, including intimidation, threats, or coercion, made in response to

disclosures or reports made under the Sexual Misconduct and Violence Policy, by any individual including both the responding party and the reporting party, as well as witnesses, friends, or relatives. **3.8 Bullying** Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power, position or knowledge. Bullying is intentional and can make a person feel humiliated, threatened, undermined and vulnerable. Victims may not always recognise what is happening and so may feel trapped, isolated or powerless. Bullying tends to happen persistently, often without witnesses, over time. It can involve one individual against another or involve groups of people. Bullying can take the form of physical, verbal, and nonverbal conduct and so can include social media communications, telephone communications, filming or taking pictures of people and/or using these without their knowledge or consent.

This is not an exhaustive list, but examples of bullying may include:

- being shouted at, being sarcastic towards, ridiculing or demeaning others;
- deliberately excluding or ignoring an individual;
- physical or psychological threats;
- unfair or excessive supervision or monitoring;
- unfair blaming for mistakes or unwarranted fault finding;
- singling out or treating an individual unfairly.

It is important to make the distinction between bullying and firm management. Bullying is unfair and can undermine a person's best efforts to perform well. Legitimate, reasonable, and constructive criticism of performance or behaviour, or reasonable instructions given to staff during their employment, or to students during their course of studies, will not amount to bullying on their own.

3.9 Discrimination Discrimination is contrary to the Equality Act 2010 and takes place when an individual or a group of people is treated less favourably than others based on one of the nine protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sexual orientation. Discrimination can be direct or indirect. Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic, they have or are thought to have, or because they associate with someone who has a protected characteristic. Indirect discrimination can happen when there is a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic. However, it isn't classed as indirect discrimination if it can be shown that the condition, rule, policy or practice is reasonable. **3.10 Hate crime** 'Hate incidents'

and 'hate crimes' are terms used to describe acts of violence or hostility directed at people, which appear to the victim or anyone else to be, because of who they are or who someone thinks they are. They are motivated by hostility or prejudice based on one or more of the following: disability, race, religion or belief, sexual orientation, transgender identity. Hate incidents can be against a person or against property and includes materials posted online.

This is not an exhaustive list, but some examples of hate incidents may include:

- abusive phone calls
- bullying
- graffiti
- harassment
- intimidation
- abuse through the means of any form of electronic media
- threats of violence
- verbal abuse

When hate incidents become criminal offences they are known as hate crimes. This is not an exhaustive list, but some examples of hate crimes may include:

- assault
- burglary
- criminal damage
- fraud
- harassment
- hate mail
- murder
- sexual assault
- theft

3.11 Anti-Semitism In December 2020 the Cambridge Theological Federation (CTF) and Ridley Hall adopted the International Holocaust Remembrance Alliance's definition of

antisemitism. “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

3.12 Violence Violence is physical misconduct and is defined as unwanted physical contact which has the purpose of violating a person’s dignity or causing them distress or harm, whether or not there is personal injury. This is not an exhaustive list, but examples of physical misconduct may include:

- punching
- kicking
- slapping
- pulling hair
- biting
- pushing
- shoving

3.13 Victimisation

Victimisation is when a person is punished or treated unfairly because they have made a complaint; they are believed to have made a complaint; they have supported someone who has made a complaint; or it is suspected that they might make a complaint.

Terminology

3.14.1 Confidentiality: treating the information given with due consideration for its personal and sensitive content, limiting who has access to the information and ensuring it is stored securely. Confidentiality will be maintained, where possible, throughout the Disclosure, Reporting and investigative processes in recognition of the sensitive nature of the incidents involved. As such, information will usually only be shared with relevant individuals/entities (who may be internal or external to **Ridley Hall**, e.g., internal counsellors, witnesses, external experts from specialist agencies like Rape Crisis, Sexual Assault Referral Centres or the Police) with the agreement of the reporting party. Internally, information will only be shared with staff on a need-to-know basis and discretion will be maintained at all times. **Ridley Hall** reserves the right, and may be under an obligation, to share information in exceptional circumstances where such disclosure is necessary to safeguard any individual or the wider **Ridley Hall** community from harm or to prevent a crime from taking place. All individuals involved in any process under this policy must keep information that is disclosed to them as part of the process confidential, to ensure the integrity of the investigative process. Any

unauthorised disclosure of confidential information will be considered a policy violation and will be addressed accordingly.

Throughout all proceedings, **Ridley Hall** will act in compliance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018. Data will be retained in accordance with the Policy and Procedures of the University of Cambridge: the relevant time periods are specified on the HSM Disclosure and Reporting Forms.

3.14.2 Consent: the agreement by choice where the individual has both the freedom and capacity to make that choice. Consent cannot be assumed based on a previous sexual experience or previously given consent, or from the absence of complaint. Each new sexual act requires a reconfirmation of consent as the foundation of a healthy and respectful sexual relationship. For example, if an individual has consented to protected sex with the use of a condom, new consent would be required for unprotected sex without a condom during the same interaction. Consent may be withdrawn at any time (including during sex) and can never be implied, assumed, or coerced.

3.14.3 Freedom to consent: For consent to be able to be given, the individual, along with having the capacity to give consent, must also be able to freely choose to participate in the specific sexual act. An individual is free to make a choice if nothing bad would happen to them if they said no. A person is not free to choose if they are threatened, intimidated, forced, coerced, and/or if there is an abuse of power present. Examples of acts of force are explained in section 3.7.10. Examples of abuse of power are explained in section 3.7.8.

3.14.4 Capacity to consent: For consent to be able to be given, the individual, along with being free to give consent, must have the capacity to give consent. Capacity means an individual is physically and/or mentally able to make a choice without their judgment being impaired and that they understand the consequences of that choice. An individual is incapacitated when asleep, unconscious, semiconscious, or in a state of intermittent consciousness, or any other state of unawareness that a sexual act may be occurring or state where their judgment is impaired due to substance. Incapacitation may occur on account of a mental or developmental disability, or as the result of alcohol or drug use. The age of consent for sexual activity is 16. The age of consent to take/have taken and/or send/receive intimate images is 18.

3.14.5 Alcohol and/or Drug Use impact on Consent: An individual can become incapacitated when their judgment becomes impaired due to substance use including, alcohol, illicit drugs, and/or mixing medication with other substances. Incapacitation arising from alcohol or drug consumption should be evaluated on the basis of how the alcohol/drugs have affected the individual; signs of incapacitation may include, but are not limited to, one or more of the following: slurred speech, unsteady gait, bloodshot eyes, dilated pupils, unusual behaviour, vomiting, blacking out, a lack of full control

over physical movements, a lack of awareness of circumstances or surroundings, and/or an inability to communicate effectively. The onus is on each individual to ensure that the other party is not incapacitated before engaging in sexual activity. A reporting party will not be subject to discipline proceedings for using illicit substances at the time of being subjected to harassment and / or sexual misconduct. Intoxication is never a defence for committing an act of harassment or sexual misconduct, or for failing to obtain consent. It may be considered an aggravating factor.

3.14.6 Affirmative Consent: If an individual has the freedom and capacity to consent, then if they are consenting they will provide words and/or non-verbal actions that demonstrate consent. Examples of consent may be saying yes and actively participating. Examples of when consent is not given may include not moving/being frozen, not actively participating, saying no, silence, saying 'maybe?'.

Under this policy, "No" always means "No," but "Yes" may not always mean "Yes." Anything but a clear, knowing, and freely given consent to any sexual activity is equivalent to a "No" at any point during a sexual encounter. When considering if an incident was consensual or not, **Ridley Hall** will consider whether the reporting party had the freedom to consent, the capacity to consent, and whether there were any words or actions that reasonably would lead a person in the position of the responding party to believe they had consent or words and actions that reasonably would lead a person in the position of the reporting party to believe they were not communicating consent. The following would mean the consent was not given: 1) The reporting party did not have the freedom to give consent; and/or 2) the reporting party did not have the capacity to give consent; and/or 3) the reporting party did not communicate through words or actions consent.

3.14.7 Disclosure: a student or employee choosing to tell anyone who is part of the **Ridley Hall** community about their experience of harassment and / or sexual misconduct (different from Report).

3.14.8 Report: a student or employee sharing information of their experience of harassment and / or sexual misconduct with a staff member of **Ridley Hall**, by completing the HSM Reporting Form for the purposes of initiating the investigation process by **Ridley Hall**, as set out in this policy. A Report can also be made to the Police.

3.14.9 Reporting Party: the person(s) who witnessed or who have been the subject of the alleged incident(s) of harassment and / or sexual misconduct or other policy breach.

3.14.10 Responding Party: the person(s) whose behaviour it is alleged amounted to an incident(s) of harassment and / or sexual misconduct or other policy breach.

3.14.11 **Trauma-informed:** means to understand the impact of trauma on an individual – including how a person may respond during a traumatic incident and may then present later, and to take precautions to minimise the risk of re-traumatisation and prioritise the safety of that individual.

4 EXPECTATIONS

4.1 **Ridley Hall** expects all staff (including contractors), students, and visitors to treat one another with kindness and respect, always behaving in a manner which is appropriate for a professional and scholarly environment. Expectations around student, staff, and visitor behaviour can be found in our Student Code of Conduct and Staff Handbook.

4.2 Further to these terms and conditions, there are many sexualised behaviours, including those listed in Section 3 above, that are never appropriate in a professional and scholarly environment.

4.3 There are also many possible power dynamics present in classroom, chapel, campus, and other educational, social, study and workplace settings that **Ridley Hall** staff, students, and visitors should be mindful of in their interactions with others; these include, age, disability, gender reassignment, marriage and / or civil partnership, pregnancy and maternity, race, religion or belief, gender, and sexual orientation, as detailed in the Equality Act 2010.

The dynamics of class and socioeconomic status, as well as positions of authority held within the structure of the **Ridley Hall** community, are also present. Members of the **Ridley Hall** community are expected to recognise these dynamics in their relationships with other members of the community and, above all, to treat one another with kindness and respect.

4.4 **Ridley Hall** expects all staff (including contractors), students, and visitors not to perpetrate harassment or sexual misconduct of any kind either in person or remotely / online. Members of **Ridley Hall** are expected to adhere to this policy while using social media and any other form of telephone or online interaction including instant messaging and email communication.

4.5 Perpetrating any form of harassment or sexual misconduct as outlined in Section 3 of this policy is a breach of policy and deemed as misconduct. Such behaviour is harmful to others' health and wellbeing and is never acceptable under any circumstance. It may also constitute a criminal offence.

4.6 All Reports of harassment and sexual misconduct will be recorded and responded to actively. Members of the **Ridley Hall** community found to be behaving in this way will be dealt with under the appropriate internal disciplinary procedures. All parties involved

can expect to be treated fairly, with dignity and confidentiality throughout any process or procedure relating to this policy.

4.7 All those affected by incidents of harassment and / or sexual misconduct or by accusations of harassment and / or sexual misconduct will have access to relevant support services.

4.8 **Ridley Hall** expects all members to seek consent when interacting with others. Consent is agreeing by choice and having the freedom and capacity to make that choice.

4.9 Consent cannot be assumed based on a previous sexual experience or previously given consent, or from the absence of complaint. Each new sexual act requires a re-confirmation of consent as the foundation of a healthy and respectful sexual relationship. For example, if an individual has consented to protected sex with the use of a condom, new consent would be required for unprotected sex without a condom during the same interaction. Consent may be withdrawn at any time (including during sex) and can never be implied, assumed, or coerced.

4.10 Additional information on how consent is defined can be found in section 3.14.2 of this Policy.

5 SUPPORT

5.1 **Ridley Hall** is committed to supporting survivors of harassment and / or sexual misconduct to remain in their employment and/or studies.

5.2 **Ridley Hall** is committed to providing support for those members of its community directly or indirectly affected by these issues. **Ridley Hall** will provide information on support resources available and offer interim measures as appropriate to the reporting party, responding party, witnesses and those supporting any of the aforementioned.

5.3 Support resources are available to any member of **Ridley Hall** regardless of their choice to proceed to a report either to **Ridley Hall** and/or the Police. Support remains available irrespective of the outcome of an internal or external investigation and should be sought through the college Chaplain.

6 DISCLOSURE

6.1 The process below will be initiated following receipt by **Ridley Hall** of a Disclosure Recording Form. The Disclosure may be received in a variety of ways and may not necessarily be brought forward by the reporting party.

6.2 A Disclosure may relate to a responding party who is or is not a member of the **Ridley Hall** community. A Disclosure does not automatically result in a report being made under this policy. In most cases, it is the reporting party's choice to make a report

to **Ridley Hall** and/or Police. **Ridley Hall** respects the right of the reporting party to choose how to take forward a Disclosure.

6.3 Following a Disclosure, the reporting party will be given their reporting options along with information on resources for specialist support. **Ridley Hall** recognises that the reporting party may require time and reflection before making a decision. The reporting party will be given the option and support to do one or more of the following:

- a) report to the Police;
- b) report to **Ridley Hall** under **Ridley Hall's** Harassment and Sexual Misconduct Policy;
- c) report to the Police and **Ridley Hall**; and/or
- d) make no report of the incident but receive advice on the support that is available.

6.4 Staff will signpost anyone who discloses physical sexual violence to the local [Sexual Assault Referral Centre](#). Examples of physical sexual violence include rape, attempted rape, assault by penetration, sexual assault, engaging, or attempting to engage in a sexual act without the reporting party's consent or sexually touching the reporting party without their consent. This will also allow the reporting party, if they choose, to make an anonymous report and have evidence stored while they choose if they want to report to the Police. Staff will signpost the reporting party to information from the Sexual Assault Referral Centre on how to preserve evidence. Staff can make a referral to the SARC on behalf of the reporting party with their agreement. Students and staff can access the local SARC through the Elms SARC at theelmssarc.org

6.5 Staff who receive a Disclosure regarding any type of potential breach of the Harassment and Sexual Misconduct Policy are required to complete the HSM Disclosure Recording Form and submit this to the Safeguarding Lead as soon as practicable. They may, if the reporting party requests, omit the name of the reporting party and/or responding party. By informing the Safeguarding Lead, anonymised information will be used for trend monitoring purposes, and staff can seek support and advice regarding the disclosure if needed.

6.6 The purpose of the HSM Disclosure Recording Form is to support staff to appropriately record a disclosure of sexual misconduct and violence and to capture data on incidents to inform prevention and response initiatives. The form also serves as a record of the reporting party's first disclosure if the reporting party chooses to report the incident(s) to **Ridley Hall** or to the Police. Information recorded on the form may be used to provide support to the reporting party and will be used to provide advice and guidance to the member of staff who received the disclosure. In addition, information from the form may be used to inform decisions made in an Initial Review Meeting following a formal report to the Police and/or **Ridley Hall**.

7 REPORT

7.1 The reporting party may choose to make a report to **Ridley Hall** under the Harassment and Sexual Misconduct Policy with the intention of **Ridley Hall** investigating a potential breach of Policy.

7.2 To make a report to **Ridley Hall**, the reporting party must submit the HSM Reporting Form.

7.3 Normally, a report cannot be investigated if the reporting party does not wish the substance of the allegation to be made known to the responding party and/or if the reporting party wishes to remain anonymous.

7.4 Before any action is taken by **Ridley Hall**, the reporting party will be asked to attend an initial meeting with the Safeguarding Lead online or in-person during which the procedure how the investigation will be conducted will be explained and the details of the report will be confirmed. If the reporting party is unwilling for the responding party to be informed of the allegation against them, the investigation cannot proceed. If the reporting party confirms they agree to participate in an investigation, either as part of the course of this meeting or at a later date, this will be considered a confirmed report and the relevant investigation procedure will be followed.

7.5 Following receipt of a confirmed report to **Ridley Hall** or a report to the Police where the responding party is a student, an Initial Review Meeting (IRM) will be organised as soon as is practicable. The Initial Review Meeting will confirm what support and precautionary measures will be offered during the investigation to all parties.

8 INVESTIGATION

8.1 **Ridley Hall** is only able to initiate an investigation if the incident(s) occurred whilst the responding party was a current student or employee / contractor of **Ridley Hall** and if the reporting party is willing for the responding party to be informed of the report against them and the identity of the person who has made the report. We are unable to proceed with investigations involving individuals outside of **Ridley Hall** or with an anonymous report.

8.2 If you choose to report the incident to the Police then **Ridley Hall** may decide not to proceed to a formal investigation until the criminal justice process has concluded.

8.3 The investigation process is outlined below;

Initial Review Meeting	Following receipt of a confirmed report to Ridley Hall or a report to the Police where the responding party is a student, an Initial Review Meeting (IRM) will be organised as soon as is practicable. The IRM will take place with the Safeguarding Lead Following this meeting, the Safeguarding Lead will either pass the investigation on to the appropriate organisation to take forward, or, if the investigation will be led by Ridley Hall, will appoint a senior member of staff as the investigator.
Investigation	An investigator, who has no prior knowledge of the case, will lead the investigation. The reporting form will be used to reflect your experiences to the investigator. You will also be invited to meet them to discuss this in person. They will share your reporting form, with your contact details removed, and any supporting documentation with the responding party to inform them of the report. They will also make contact with any witnesses for whom you have provided details. The responding party and the witnesses will also have the opportunity to meet the investigator in person. The investigation will be conducted in accordance with the relevant disciplinary policies and procedures for staff and students. All investigations conducted are credible, fair, and reflect established principles of natural justice. Ridley Hall aim to complete the investigation within twenty working days of the investigator's appointment.
Final Decision	Both the reporting and responding parties will be informed in writing of the outcome of the investigation, if it is determined

	that a breach of the policy occurred, and any further action that may occur. Decisions are made using the civil standard of proof – the balance of probabilities. Any decision reached does not constitute a legal ruling on whether criminal activity has taken place or not. Disciplinary action against a responding party can only be taken following the outcome of an investigation that indicates that disciplinary action is required. Disciplinary action will be in accordance with the relevant staff and student policies, and may include a written warning, the restriction of access to Ridley Hall services or premises, or the expulsion of the responding party.
Final Review Meeting	Once a decision has been taken and communicated to you, you will be invited to a final review meeting with the Investigator and if a student with the Formation Tutor or Principal or if a member of staff with your line manager or the Principal. This meeting will provide the opportunity for you to ask any questions that you may have about the investigation and decision-making processes and about any disciplinary action to be taken. There will be no restriction on the disclosure of information about an allegation of harassment and / or sexual misconduct, which in any way involves or affects one or more students, to any other person.
Appeal	If either the reporting or responding parties are not satisfied with the result of the investigation, you may appeal to the Chair of Trustees via Clerk to the Trustee Board (or, in the case of the complaint being about the Chair of Trustees, another Board member) who will review the matter and make a binding response within 28 days. At the end of this process we will inform you of your right to request a review of the investigation by the OIA (see below).

Office of the Independent Adjudicator (OIA)	If you are dissatisfied with the outcome of your appeal, you can complain to the Office of the Independent Adjudicator (OIA) within 12 months of the issue of the letter informing you of the result of your appeal. Contact: www.oiahe.org.uk
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9 EQUALITY, DIVERSITY AND INCLUSION

9.1 Harassment and sexual misconduct can be experienced by any individual regardless of sex, gender, sexual orientation, relationship status, age, disability, faith, ethnicity, nationality and economic status.

9.2 **Ridley Hall** recognises that women, members of the LGBT+ community, ethnic minorities, and individuals with disabilities are disproportionately affected by experiences of sexual violence.

9.3 The work of **Ridley Hall** to identify and implement further steps to prevent harassment and sexual misconduct focuses on these groups.

10 RESPONSIBILITIES AND MONITORING

10.1 The Domestic Bursar is responsible for the application of the procedures associated with this Policy.

10.2 **Ridley Hall** will maintain a central record of incidents to effectively engage in prevention and response initiatives. The Investigator or other members of staff involved in the investigation will not store any information on personal devices, including phones or laptops. All recording and reporting of incidents and subsequent investigations must take place on devices provided by **Ridley Hall**. The Safeguarding Lead will keep a record of anonymised incident data regarding incidents involving students and/or staff during their time as members of the **Ridley Hall** community for trend monitoring purposes. This data will be gathered from Disclosures and Reports of Harassment and Sexual Misconduct. Staff who receive a disclosure from a student or employee will submit the HSM Disclosure Recording Form with named or anonymised data to The Safeguarding Lead who can then record this for trend monitoring purposes. The Safeguarding Lead will ensure that the Cambridge Theological Federation (CTF) is regularly provided with anonymised data concerning the cases that are dealt with under this and related procedures.

11 POLICE INVESTIGATIONS AND CRIMINAL JUSTICE PROCEEDINGS

11.1 Reporting parties will be supported to disclose incidents of Harassment and Sexual Misconduct to **Ridley Hall**, and to choose and assess the course of action that is most appropriate for them whether they wish to report to **Ridley Hall** and/or Police or seek support only.

11.2 Where a criminal investigation or judicial proceedings are ongoing or are likely to

commence in respect of a Disclosure, **Ridley Hall** can receive a Report of Sexual Misconduct and Violence. In the interest of not causing impediment to the criminal proceedings, **Ridley Hall** may decide not to commence an internal investigation or may suspend an ongoing investigation pending the conclusion of the criminal justice process when the report is against a student. In cases where a report is made against an employee, **Ridley Hall** will take advice from the police on when an internal investigation can begin. In all instances **Ridley Hall** will undertake necessary precautionary action to support the safety of all parties involved and the wider college community during an investigation / criminal proceeding.

11.3 Reports to **Ridley Hall** and/or to the Police relating to Sexual Misconduct and Violence will be considered at an Initial Review Meeting (IRM). An IRM may also be called after the conclusion of a criminal investigation or judicial proceedings where there are issues outstanding and pertinent to the student(s) and/or employees involved.

11.4 A decision by the Police or Crown Prosecution Service (or other law enforcement agency) to take no further action in relation to a criminal matter or an acquittal at a trial does not preclude **Ridley Hall** from taking internal action to consider misconduct and does not mean the reporting party has made a vexatious or malicious report.

11.5 In all cases, **Ridley Hall** will advise the reporting party that it does not have the legal investigatory powers of the Police and cannot decide on criminal guilt. An internal investigation is focused exclusively on whether a breach of **Ridley Hall's** Harassment and Sexual Misconduct Policy has occurred. The internal process cannot therefore be regarded as a substitute for a Police investigation or criminal prosecution. Nor can the outcome of this procedure be linked to criminal guilt.

11.6 Where a student or employee has been convicted of a criminal offence or accepts a Police caution in relation to behaviour that falls within the scope of **Ridley Hall's** Sexual Misconduct and Violence Policy, the conviction/caution will be taken as conclusive evidence that the behaviour took place and no further investigation shall be required by **Ridley Hall**. The relevant internal disciplinary process will be followed without repeating an investigation.