



# Royal College of Art

Postgraduate Art & Design

## Prevention of Sexual Harassment Policy for Staff

### 1. Introduction

- 1.1 At the RCA ('the College') we are committed to maintaining a safe, supportive and inclusive campus environment for all. We are committed to creating a safe and supportive environment, to raising awareness of these unacceptable behaviours, and to preventing and eliminating them in all of their forms. This policy sets out the College's expectations of behaviour by our employees and provides approaches for dealing with complaints of sexual harassment.
- 1.2 All members of the College community are entitled to be treated with dignity and respect and to only experience behaviours that are in accordance with the College's values. No-one at the College is expected to tolerate harassment or sexual misconduct, whether by a member of the College community (staff or student), or by a third party such as a supplier or visitor to the College or a member of the public.
- 1.3 No-one will be disadvantaged by the College in any way by disclosing harassment or sexual misconduct. We will take all disclosures of harassment or sexual misconduct seriously. You will be listened to with empathy and without judgment, and supported to explore your options, whether or not you choose to make a formal report.
- 1.4 It is recognised that experiencing or disclosing sexual harassment can be distressing and retraumatising. This policy is designed to prioritise the wellbeing and autonomy of those affected, and to ensure access to compassionate and trauma-informed support throughout any process. Students or members of staff about whom allegations have been made will be presumed to be innocent until proven to have committed a disciplinary offence on the balance of probabilities.
- 1.5 This policy also responds to the Worker Protection (Amendment of Equality Act 2010) Act which introduced a legal duty on employers to take reasonable steps to prevent sexual harassment of their employees (the 'preventative duty').
- 1.6 Sexual harassment takes many forms, but whatever form it takes it is unlawful under the Equality Act 2010 (EqA).
- 1.7 The Director of People & Culture has overall responsibility for the operation of this policy but may delegate elements of implementation or decision-making to their nominee. Our managers will maintain an open-door policy and we encourage all staff to come forward with any concerns in relation to sexual harassment. All our staff have a responsibility to behave in line with the College's values, our Values into Practice framework and the requirements of this policy.

1.8 Instances of sexual harassment or victimisation will be taken seriously and will be investigated using the College's investigation procedure and may lead to disciplinary action up to, and including, termination of employment.

1.9 This policy will be reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. Any changes required will be implemented and communicated to staff.

## **2. Scope**

2.1 The College seeks to ensure that the working environment is safe and supportive to all those who work for us. This includes employees, casual workers, agency workers, volunteers, contractors and honorary appointments in all areas of the College.

2.2 This policy covers behaviour which occurs in the following situations:

- a work situation
- a situation occurring outside of the normal workplace or normal working hours which is related to work, e.g. a working lunch, a business trip or social functions
- outside a work situation but involving a colleague or other person connected to the College, including on social media
- against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

## **3. Definitions**

**Abuse of power** Where someone uses their position of power or authority in an abusive and unacceptable manner. Abuse of power can take various forms and may include, but is not limited to manipulation, coercion, bullying harassment and sexual misconduct. Abuse of power may also occur in the context of a close personal or intimate relationship.

**Consent** Consent is giving permission for something to happen, or agreeing by choice to do something, in possession of all the facts to make an informed choice. Consent also requires having the freedom and capacity to make that choice. Consent can be withdrawn at any time.

Examples of where someone is not free to make a choice around consent include where they are being subjected to force, intimidation, manipulation, undue influence, coercion or deception in order to gain their consent.

Capacity is about whether someone is physically and/or mentally able to make a choice and to understand the consequences of that choice. For example, someone's capacity to consent may be impacted if they are under the influence of alcohol or drugs. If someone is asleep or unconscious they cannot give consent. Certain cognitive or learning disabilities and mental health conditions can impact capacity to

consent.

The person seeking consent should always take steps to ensure that consent is freely given, that it is informed, and recognise that it can be withdrawn at any time. Consent given on a previous occasion does not count as consent, as this should be obtained on each occasion and be specific to the activity or situation.

### **Grooming**

A gradual process that someone in a position of power uses to manipulate someone to do things they may not be comfortable with and to make them less likely to reject or report abusive behaviour. Grooming will initially start as befriending someone and making them feel special and may result in sexual abuse and/or exploitation

### **Harassment**

This is defined in the Equality Act (2010) as any unwanted conduct (including of a sexual nature) related to someone's relevant protected characteristic, which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment towards that person. Relevant protected characteristics refer to a person's gender, sexual orientation, race, religion or belief, disability, marriage and civil partnership, pregnancy and maternity/paternity, or age.

In deciding whether conduct has the effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment towards that person, it is necessary to take into account: 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.

Harassment is also defined in the Protection from Harassment Act (1997) as a course of conduct which alarms another person or causes them distress. This does not need to be related to a protected characteristic. If the harassment is towards one person, the conduct needs to happen on at least two occasions. In the case of conduct in relation to two or more persons, conduct on at least one occasion in relation to each of those persons needs to happen.

The College is legally required to have particular regard to, and place significant weight on, the importance of **freedom of speech** within the law, academic freedom and tolerance for controversial views in an educational context or environment, including in premises and situations where educational services, events and debates take place. The College applies a rebuttable presumption that where a student is exposed to any of the following, this is unlikely to amount to harassment:

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

## **Sexual misconduct**

Any unwanted and unpermitted sexual activity including sexual harassment and sexual violence.

It includes (but is not limited to) the following, within or outside a sexual or romantic relationship, without consent (this includes where consent to sexual activity has been given then withdrawn, or if consent has been given on previous occasions):

- sexual intercourse, or engaging in a sexual act
- attempting to engage in sexual intercourse or engaging in a sexual act
- sharing private sexual materials of another person
- kissing
- touching inappropriately through clothes without consent
- inappropriately showing sexual organs to another person
- sexual harassment (unwanted behavior of a sexual nature that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment)

## **Sexual Harassment**

To be **sexual harassment**, the unwanted behaviour must have either: violated someone's dignity; or created an intimidating, hostile, degrading, humiliating or offensive environment for that person. Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcome in the past can become unwanted at any time and can be considered under this policy, such as where individuals may have previously been in a consensual relationship and no longer are.

Examples of sexual harassment include but are not limited to:

- sexual comments or jokes, which may be referred to as "banter" including where the intent is claimed to be humorous
- displaying sexually graphic pictures, posters or photos out of context
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact in online communications, including on social media
- spreading sexual rumours about a person
- sending sexually explicit emails, text messages or messages via other social media
- repeatedly contacting or following another person without good reason (stalking)
- indecent exposure

- upskirting (where someone takes a picture under a person's clothing without their permission)

## **Victimisation**

Subjecting someone to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation. This includes making an allegation, or a complaint under the Equality Act (eg for discrimination or harassment), or helping someone else to do so.

Examples of victimisation may include being treated unfairly, being excluded from certain situations or activities, being subjected to unwanted physical contact, verbal abuse, or threats, receiving offensive messages or being targeted through social media. Specifically this could be:

- failing to consider someone for promotion because they have previously made a sexual harassment complaint
- dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint
- excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

**Reporting party** A person who witnessed or who is the subject of the reported incident of harassment or sexual misconduct

**Responding party** A person whose behaviour is alleged to have amounted to an incident of harassment or sexual misconduct

## **4. The preventative duty: expectations of staff**

4.1 The Worker Protection (Amendment of Equality Act 2010) Act introduces a legal duty on employers to take reasonable steps to prevent sexual harassment of their staff. This covers sexual harassment by other people at work or by third parties, for example students and contractors. The Act states that all employees are expected to promote a positive and inclusive workplace culture where sexual harassment is not tolerated and where complaints are dealt with promptly, efficiently and sensitively.

4.2 Deans/Directors/Heads of Services should have systems in place to manage risk related to sexual harassment and misconduct and as part of this process they should anticipate scenarios specific to their work areas where employees may be subject to sexual harassment (for example those where alcohol is present, or overnight

stays are required), identify any risk factors and put preventative measures in place. If sexual harassment occurs, they must take action to stop it happening again.

4.3 Risk factors include, but are not limited to:

- meeting alone
- an environment where people are drinking alcohol
- work-related social events
- social media contact between staff
- power imbalances between staff
- travelling for work, including overnight stays

4.4 Examples of preventative measures include, but are not limited to:

- Making it clear that sexual harassment will not be tolerated
- Encouraging staff to report any incidents of sexual harassment by promoting reporting mechanisms and publishing transparent policies and investigation procedures.
- Encouraging staff to report situations where they felt at risk, even if nothing happened
- Setting standards of behaviour for social events, reinforcing our values and producing guidance for staff to ensure clarity.

## 5. Reporting channels

5.1 We strongly encourage you to report (see 5.2), as soon as is reasonably practicable, behaviours or conduct if they were directed at you, if you were affected by them, or if you witnessed them, whether you want support only or if you want to discuss further action.

5.2 We recognise that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may be difficult to raise the issue through our normal grievance procedure. In these circumstances, the following avenues are open to you to raise an informal complaint, irrespective of whether the complaint is about a member of RCA staff, a student or other third party:

- If you experience sexual harassment, you are not required to confront the person whose behaviour has affected you. However, if you feel safe and wish to do so, you may choose to express that the behaviour is unwelcome. This is entirely your decision, and you will be supported regardless of whether or not you take this step. If you feel unable to do this verbally then you could consider sending a written request to the harasser. Assistance with this can be obtained from your HR Advisor or one of the College's Sexual Violence Liaison Officers (SVLOs).
- In addition, you may also choose to raise concerns during your regular communication with your manager, e.g. in a one-to-one meeting. Your manager will listen but may encourage you to follow the reporting procedures set out below. If you don't have a one-to-one meeting scheduled with your

manager, you can ask to meet with them to discuss any concerns that you may have.

- Contact your HR Advisor who will offer you support and advise you of options available to you as set out in this policy. They will also direct you to other sources of support provided by the College and externally.
- Raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you). This person will not be assigned to investigate the matter if it becomes a formal complaint.
- Approach one of the College's Sexual Violence Liaison Officers (SVLOs). Our SVLOs are trained to support those who have been directly or indirectly affected by recent or historical incidents of sexual violence or misconduct. They assist any reportees to access the support they need without judgement or pressure on the person to take action. They assist with signposting to specialist services, health care, sexual violence centres, the Police and reporting procedures within the College. They take on the single point of contact role to support the reportee.
- Use the College's Report & Support system which provides the option to report anonymously, if this is something you wish to do.

### 5.3 Reporting anonymously

Reports of harassment or sexual misconduct can be made anonymously via the RCA [Report +Support site](#). Reporting anonymously could mean that the College will be unable to take any further action because it may not be possible to carry out an appropriately robust investigation, or to take action which could compromise someone's anonymity.

Report + Support now offers reporters the option to opt into two-way messaging when reporting anonymously.

Two-way messaging allows you to continue to discuss your report with an advisor after you've submitted it. During the process of filling in the reporting questions, you'll be given the option to opt in.

We won't collect any information that may identify you, it's completely anonymous and entirely up to you if you wish to provide any information that would identify you. Remember that the details of an incident that you share may also identify you as well as any obvious personal information such as your name or email address.

Anonymous reports will be recorded and will be used by the College to monitor incidents of harassment and sexual misconduct. Further information about anonymous reporting is available at [our Report +Support site](#).

## 6. Formal complaint

- 6.1 You may choose to submit a formal written complaint. If you decide to do so, we will work with you to ensure that the process is safe, respectful and led by your needs. You may submit this to your line manager, your HR Advisor, or via the SVLO - whichever feels most appropriate for you.

6.2 Alternatively, you may choose to submit a report via the College's Report & Support system. Reports submitted via Report & Support are continually monitored and acted upon. You will be contacted within 3 working days of your support being submitted.

If possible, you should keep notes of what happened so that the written complaint can include:

- the name of the alleged harasser
- the nature of the alleged harassment
- the dates and times when the alleged harassment occurred
- the names of any witnesses
- any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint, an assessment will be made of current working arrangements to consider whether any interim arrangements will need to be put in place.

You may also make a formal complaint by emailing the HR Advisor for your area.

## **7. Investigations into Complaints or Allegations**

7.1 Any investigations into allegations of sexual harassment by employees will be conducted under the College's investigation procedure.

7.2 Reports by staff about the behaviour of a student will normally be progressed through the Student Misconduct and Disciplinary Policy.

7.3 If a student makes a complaint about a member of staff, it will normally be investigated through the relevant stage/s of the student complaints procedure. If a complaint is upheld, this will be referred to the People and Culture team for a decision about any action that may be taken under the Staff Disciplinary Policy

7.4 If an employee receives information relating to an allegation of sexual harassment between a colleague and a student or another employee, advice should initially be sought from their HR Advisor.

7.5 Sexual harassment may also lead to a criminal investigation being instigated into the actions of an employee, student or other third party. Where there are concerns that a criminal act has taken place, advice must be taken from the Director of People & Culture.

7.6 We will respect your confidentiality at all times, and only share information on a need-to-know basis or where required to protect your safety or the safety of others. If external agencies need to be involved, we will explain the reasons to you and involve you in any decision-making wherever possible.

7.7 You will not be victimised for having brought a complaint.

## **8. Incidents that may also amount to a criminal offence**



- 8.1 Reporting to the police and disclosing to the College are separate processes with different possible outcomes: a report to the police may lead to the reported person being convicted of a criminal offence, whereas a report under this policy and related RCA procedures may lead to dismissal (or expulsion in the case of a student).
- 8.2 You have the right to decide whether or not to report the incident to the police. We will not report on your behalf without your consent, except in exceptional circumstances where there is a serious and immediate risk to you or others. If this becomes necessary, we will explain our reasoning and involve you in the process as far as possible. This will only be authorised by the Director of People & Culture.
- The College will explain its decision and the reasons to the staff member either in advance or as soon as possible after the report is made.
- 8.3 The investigative ability of the RCA is not the same as through criminal proceedings e.g. forensic analysis and medical examinations are not available in internal procedures. In taking disciplinary action, the RCA is required to reach conclusions on the 'balance of probabilities' and not the criminal standard of 'beyond reasonable doubt'. The RCA can only take the actions available to it under the relevant disciplinary procedure, and where misconduct has occurred the RCA can only impose the penalties it has available and which it considers proportionate.
- 8.4 Where the events which are the subject of a report under this policy have been reported to the police, the College will normally suspend any further action pending the outcome of any police investigation and/or criminal proceedings.

## **9. If you witness sexual harassment or victimisation**

9.1 If you witness sexual harassment or victimisation, you are encouraged to take appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report the incident or reporting the incident yourself.

9.2 If reporting the incident, you should consider bringing the matter to the attention of your line manager or your HR Advisor in writing. Alternatively, you can submit a report via the College's Report & Support system. Reports submitted via Report & Support are continually monitored and acted upon. You will be contacted within 3 working days of your report being submitted.

## **10. Third-party sexual harassment**

10.1 Third-party sexual harassment occurs when a member of staff is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our students, suppliers, contractors, agency workers, friends and family of staff and students, casual workers, sponsors, members of the public, etc.

10.2 Third-party sexual harassment of our staff is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties and we are committed to doing so.

10.3 In order to prevent third-party sexual harassment from occurring, we will inform third parties (eg suppliers) of our zero-tolerance sexual harassment policy within our supplier documentation and ensure that we reinforce this under the terms of our engagement with them.

10.4 If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible using the reporting channels outlined in sections 5 and 6.

## **11. Training**

11.1 The College is committed to preventing incidents of harassment and sexual misconduct where reasonably possible. The College will ensure that appropriate and comprehensive training is made available to all our staff on the prevention of harassment and sexual misconduct to ensure there is a clear understanding of:

- what sexual harassment is, how it may occur and that it will not be tolerated
- expected levels of behaviour
- how they can report any incidents of having been sexually harassed or having witnessed it
- how acts of harassment will be dealt with under the disciplinary procedure, which can potentially result in dismissal.

11.2 College staff will be required to undertake mandatory training as part of their induction.

11.3 The College will also ensure that staff who are involved in dealing with cases of alleged harassment and sexual misconduct, from the initial report through to investigation and disciplinary procedures will receive appropriate specialist training.

11.4 We provide refresher training as appropriate.

## **12. Support and Advice for employees**

12.1 There are many sources of support available to staff prior to making a complaint or to both complainant and alleged perpetrator once a complaint has been made. These include:

- SVLO (Sexual Violence Liaison Officers)
- HR Advisors
- Line managers
- Union representatives (for union members)
- The Employee Assistance Programme which is available 24/7

12.2 Support available external to the College

- [London Survivors' Gateway](#)
- [The Survivors Trust](#)

### **13. Related Policies and College Documents**

13.1 This Policy should be read in conjunction with the following College documents and policies:

- Dignity at Work (Anti-bullying & harassment and victimisation) Policy
- Personal relationships Policy
- Values into Practice framework
- Disciplinary Policy
- Grievance Policy
- Student Complaints Policy

**People & Culture - July 2025**