



Harassment and Sexual Misconduct Policy (HE)

Version	1
Owner	Quality and Standards Committee
Approving body	Board of Directors
Date approved	10 June 2026
Effective from	1 July 2026
Review frequency	One year
Review date	1 July 2027

See Appendix A for version history

Harassment and Sexual Misconduct Policy (HE)

1. Purpose

- 1.1 Boomsatsuma Education Ltd ('Boomsatsuma') is committed to providing a safe, inclusive and respectful environment for all students, staff and members of its community. Harassment and sexual misconduct are unacceptable behaviours and will not be tolerated under any circumstances.
- 1.2 This Policy sets out Boomsatsuma's approach to:
 - Preventing harassment and sexual misconduct
 - Enabling concerns to be reported
 - Providing appropriate support to students
 - Ensuring that reports and allegations are handled fairly, sensitively and effectively.
- 1.3 This Policy has been developed with reference to Section 26 of the Equality Act 2010 [\[Link\]](#), The Protection from Harassment Act 1997 [\[Link\]](#), and the Office for Students (OfS) Condition of Registration E6 [\[Link\]](#). Students on higher education courses delivered by Boomsatsuma are officially enrolled with Kingston University London, and this Policy supports Boomsatsuma's local responsibilities and Kingston University's regulatory framework.
- 1.4 This Policy constitutes Boomsatsuma's local single source of information on harassment and sexual misconduct for higher education students and will be made available via the Boomsatsuma website without the need for any form of password or security check. It brings together key policies, procedures and processes that protect students from behaviour that may amount to harassment and/or sexual misconduct.
- 1.5 Boomsatsuma recognises that higher education environments can give rise to power imbalances, including between staff and students. This Policy forms

part of a wider framework, including the Personal Relationships Policy [\[Link\]](#), which is designed to prevent abuse of power.

1.6 Boomsatsuma is committed to ensuring that:

- Individuals know how to report concerns
- Reports are taken seriously and handled appropriately
- Appropriate support is available to students, regardless of whether a formal complaint is made
- Information is handled sensitively and in line with legal and regulatory requirements.

1.7 All matters raised under this Policy will be addressed promptly, fairly, and with respect for the dignity and privacy of those involved. Information will only be shared where necessary to safeguard individuals, investigate, and resolve a case.

1.8 Boomsatsuma does not use non-disclosure agreements (NDAs), or any form of restricting provision, in relation to harassment or sexual misconduct. For the purposes of this Policy, 'restricting provisions' are any rules or agreements that stop or discourage a student from sharing information about an allegation of harassment or sexual misconduct with others.

2. Definitions

2.1 Harassment has the meaning given in Section 26 of the Equality Act 2010 and Section 1 of the Protection from Harassment Act 1997. For the purposes of this Policy, 'harassment' means unwanted conduct related to a relevant protected characteristic, such as age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. In deciding whether conduct has this effect, Boomsatsuma will take into account the perception of the person

affected, the other circumstances of the case, and whether it is reasonable for the conduct to have that effect.

2.2 For the purposes of this Policy, 'sexual misconduct' means any unwanted or attempted unwanted conduct of a sexual nature. This includes conduct referenced in Section 26(2) of the Equality Act 2010 and aligns with the definition set out in OfS Condition of Registration E6. Sexual misconduct may include behaviour which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Examples of sexual misconduct include, but are not limited to:

- Flirting, gesturing, or making sexual remarks about someone's body, clothing, or appearance
- Asking questions about someone's sex life
- Telling sexually offensive jokes
- Displaying or sharing pornographic or sexual images, or other sexual content
- Touching someone against their will
- Sexual assault
- Rape.

2.3 An 'abuse of power' occurs where a member of staff exploits a position of authority in relation to a student to apply pressure in a way that may influence the student's behaviour or actions.

2.4 An 'intimate personal relationship' is a relationship that involves physical intimacy (including sexual activity) and/or romantic or emotional intimacy.

3.4 An 'incident' refers to circumstances where allegations or complaints are made to Boomsatsuma about harassment and/or sexual misconduct, or where Boomsatsuma could reasonably be considered to have grounds for suspecting that harassment and/or sexual misconduct has taken place or is taking place.

- 2.5 For the purposes of this Policy, the 'Reporting Party' is the individual or individuals who report an alleged incident of harassment and/or sexual misconduct. The 'Responding Party' is the individual or individuals against whom an allegation is made.

3. Scope

- 3.1 This Policy applies to allegations of harassment and/or sexual misconduct which affect one or more students registered on higher education courses delivered by Boomsatsuma. This includes allegations made by students, or those made by members of staff or third parties about students.
- 3.2 Allegations covered by this Policy include those made by:
- A student towards another student
 - A member of staff towards a student
 - A student towards a member of staff
- 3.3 Where a student reports harassment or sexual misconduct involving an individual who is not a member of the Boomsatsuma community, Boomsatsuma will provide appropriate support and take reasonable and proportionate steps within its control, where appropriate.
- 3.4 Where a member of staff reports harassment or sexual misconduct by a student, this Policy will apply in respect of the management of the student's behaviour through the Student Disciplinary Procedure (HE) [\[Link\]](#). Support for the member of staff will be provided through appropriate internal processes.
- 3.5 This Policy is designed primarily to address incidents affecting students and is aligned with the principles of OfS Condition E6, while students are officially enrolled with Kingston University London. Concerns relating to staff behaviour towards other staff should be addressed through the Staff Grievance Procedure.

- 3.6 Boomsatsuma recognises that harassment and/or sexual misconduct can be experienced by an individual at any time and in a range of contexts. This includes incidents that may occur online.
- 3.7 Where a formal investigation or disciplinary process is required, the route taken will depend on the nature of the allegation and the individuals involved:
- Allegations involving a student as the Responding Party will normally be considered under the Student Disciplinary Procedure (HE) [\[Link\]](#)
 - Allegations involving a member of staff as the Responding Party will normally be considered under the Student Complaints Procedure [\[Link\]](#) with any staff disciplinary action managed through the relevant staff disciplinary procedure where appropriate.

4. Preventative Measures

- 4.1 Boomsatsuma is committed to taking proactive steps to reduce the likelihood of harassment and sexual misconduct and to protect students from harm.
- 4.2 Boomsatsuma will ensure that all students are appropriately informed about behaviour that may constitute harassment and/or sexual misconduct, the standards of behaviour expected within the community, and how to report concerns and access support. This includes mandatory training for all students at enrolment, supported by refresher communications across the academic year. Boomsatsuma will take reasonable steps to support student participation in training, including making adjustments where required.
- 4.3 In alignment with OfS Condition E6.2, Boomsatsuma will ensure that staff involved in higher education provision are appropriately trained to have and maintain an up-to-date understanding of this Policy and content of the single comprehensive source of information, as well as behaviour that may constitute harassment or sexual misconduct. Staff that may be involved in receiving disclosures, investigations, or making decisions related to the Policy will receive additional training to ensure they have the required knowledge

and skills to support students who wish to or have made allegations or complaints about harassment and/or sexual misconduct or are the actual or alleged perpetrators of harassments and/or sexual misconduct. Training for staff will also include obligations in relation to freedom of speech within the law.

- 4.4 Boomsatsuma will ensure that training is informed by credible evidence, delivered by appropriately qualified individuals where relevant, and subject to periodic review to evaluate its effectiveness.
- 4.5 Boomsatsuma will promote a culture in which harassment and sexual misconduct are not tolerated, and where students feel able to report concerns without fear of retaliation. This includes raising awareness of power imbalances, encouraging responsible behaviour, and promoting clear professional boundaries.
- 4.6 Boomsatsuma will monitor reports and other relevant information relating to harassment and sexual misconduct to identify patterns, risks, and areas for improvement. This information will be used to inform preventative measures, training, and policy development, and to review the effectiveness of the steps taken to protect students.

5. Intimate Personal Relationships Between Staff and Students

- 5.1 Boomsatsuma recognises that intimate personal relationships between staff and students may give rise to conflicts of interest, abuse of power, and risks to student wellbeing.
- 5.2 In order to protect students, Boomsatsuma operates a ban on intimate personal relationships between students and relevant staff members. For the purposes of this Policy, a 'relevant staff member' is any member of staff who has direct academic, professional, or pastoral responsibility for a student.

- 5.4 Any breach of this requirement will be considered under the relevant staff disciplinary procedure and may result in disciplinary action, including dismissal.
- 5.5 An 'excluded relationship' refers to an ongoing intimate personal relationship that existed prior to the date that the staff member became a relevant staff member in relation to that student. Excluded relationships are exempt from the ban, however must be disclosed and handled in line with Boomsatsuma's Personal Relationships Policy (HE) [\[Link\]](#).
- 5.6 In such cases, Boomsatsuma will take appropriate steps to manage any actual or potential conflict of interest and ensure that the student is not disadvantaged.
- 5.7 Students will be supported to report any behaviour by a member of staff that may constitute harassment, sexual misconduct, or abuse of power, and will not be penalised for doing so.
- 5.8 Further detail on the disclosure and management of personal relationships is set out in the Personal Relationships Policy (HE) [\[Link\]](#).

6. Disclosing Harassment or Sexual Misconduct

- 6.1 An incident of harassment or sexual misconduct, or related concerns, can be reported to the Student Support team or to any member of staff. Disclosures may also be made via studenthelp@boomsatsuma.com, which is monitored during office hours.
- 6.2 In an emergency, where there is an immediate risk to life or a threat of violence, call 999 or go to the nearest A&E.
- 6.3 Disclosures will be handled sensitively. The Reporting Party will not be required to provide full details at the point of disclosure and will not be asked to share more information than they feel able to.

- 6.4 Where a disclosure is made to a member of staff, that staff member will refer the matter to the Student Support team to ensure that appropriate support and precautionary safeguarding measures can be put in place.
- 6.5 A disclosure may be made for the purpose of seeking support only. There is no obligation to make a formal complaint, and the Reporting Party will not be pressured to take further action.
- 6.6 Under standard procedures, allegations of harassment and/or sexual misconduct should be reported within 15 days of the incident. However, Boomsatsuma recognises that it may take time for individuals to feel ready to come forward. Disclosures will therefore be accepted regardless of when an incident occurred, although the ability to investigate may be affected by the passage of time. Support will be offered under all circumstances.
- 6.7 A route to make an anonymous report is available via this form [\[Link\]](#). Anonymous reports are treated seriously, however Boomsatsuma may be limited in its ability to take direct action where insufficient information is available. All anonymous reports will be reviewed to identify patterns, inform preventative measures, and, where appropriate, support formal investigations.

7. Preliminary Meeting

- 7.1 After making a disclosure, we will invite the Reporting Party to a preliminary meeting. Here we will discuss the disclosure in more detail, provide guidance on available support, and explain what options are available to them moving forward. They can elect to join a meeting in person, or if preferred, via Google Meet, and may be accompanied for support by another student, a friend, or family member. The meeting will be led by a member of Boomsatsuma's Student Support Team or an appropriate nominee.

7.2 As part of the preliminary meeting, Boomsatsuma will offer appropriate support and provide information about the options available. These may include:

- Reporting the matter to the police
- Making a formal complaint through the relevant procedure
- Accessing internal or external support services
- Taking no further action for the time-being.

8. Precautionary Measures

8.1 Precautionary measures are actions taken by Boomsatsuma to mitigate risks to the Reporting Party, the Responding Party, other students, staff, or the wider Boomsatsuma community.

8.2 Where it is considered that there may be a risk to any individual or to the community, Boomsatsuma will undertake a risk assessment to determine whether precautionary measures are required. This may take place following a disclosure, preliminary meeting, or at any stage of a case where concerns are identified.

8.3 Precautionary measures are not disciplinary sanctions and do not indicate that a finding has been made. Their purpose is to reduce risk and support the safety and wellbeing of those involved while any concerns are being considered.

8.4 Precautionary measures may include, but are not limited to, restricting contact between individuals, adjusting teaching or supervisory arrangements, limiting access to certain activities or facilities, or, where necessary, temporary suspension from specific activities.

8.5 All precautionary measures will be reasonable and proportionate, and will take into account the need to minimise any impact on a student's ability to engage

with their studies, or a staff member's right to fair treatment and dignity at work. Measures will be kept under review and adjusted as appropriate.

9. Following a Preliminary Meeting

- 9.1 Following a disclosure and preliminary meeting, the Reporting Party may choose how they wish to proceed. Boomsatsuma will support the Reporting Party in understanding the implications of each option.
- 9.2 Where the Reporting Party chooses to report the matter to the police, Boomsatsuma will support this decision. Where a criminal investigation or proceedings are ongoing, Boomsatsuma will consider whether it is appropriate to delay or temporarily suspend any internal investigation. This decision will be made on a case-by-case basis, taking into account the need to avoid prejudice to criminal proceedings, while also considering the safety and wellbeing of the Reporting Party and the wider student community.
- 9.3 Where the Reporting Party chooses to make a formal complaint, the matter will be progressed in accordance with the relevant procedure, as listed in Section 3 of this Policy. In such cases, Boomsatsuma will provide the Reporting Party with detailed advice about the appropriate next steps within the relevant procedure, as well as agree on an appropriate route to share further information with us.
- 9.4 Where the Reporting Party chooses to access support without making a formal complaint, Boomsatsuma will continue to provide appropriate support and guidance. In such cases, Boomsatsuma may still consider whether any precautionary or safeguarding measures are required to protect those involved or the wider community.
- 9.5 Where the Reporting Party chooses to take no further action, Boomsatsuma will respect this decision. However, Boomsatsuma reserves the right to take appropriate action where there are safeguarding concerns, risks to other students or staff, or where it is otherwise necessary to fulfil its duty of care.

- 9.6 In all cases, Boomsatsuma will take reasonable steps to ensure that decisions are proportionate, transparent, and centred on the safety and wellbeing of students.

10. Formal Investigation

- 10.1 Where a formal investigation is triggered, Boomsatsuma will convene a panel of appropriately trained and experienced staff to consider the case under the relevant procedure. The Reporting Party and Responding Party will be informed of the process to be followed, the expected timescale (as defined in the relevant procedure), and any factors that may affect that timescale.
- 10.2 Both parties will have a fair opportunity to provide information, evidence, and their account of events. Where appropriate, witnesses may be asked to provide information. Boomsatsuma will keep written records of the investigation and decision-making process.
- 10.3 Appeals will be handled in accordance with the relevant procedure.
- 10.4 There is no requirement for Boomsatsuma to apply a criminal standard or proof in its internal investigations, and the judgements reached as part of an internal investigation does not constitute a legal ruling on whether criminal activity has taken place. Any investigation undertaken, and decisions made in respect to incidents of harassment and/or sexual misconduct will however be credible, fair and otherwise reflect established principles of natural justice.

11. Outcomes and Decisions

- 11.1 At the conclusion of any formal investigation managed by Boomsatsuma, Boomsatsuma will determine, on the balance of probabilities and based on the available evidence, whether the allegation is upheld under the relevant local procedure. Where a matter falls within Kingston University's procedures

or requires referral to Kingston University, Boomsatsuma will act in accordance with the relevant Kingston University process.

- 11.2 Where an allegation is not upheld, no further disciplinary action will be taken. Where appropriate, Boomsatsuma will still consider whether any supportive or preventative measures are required.
- 11.3 Where an allegation is upheld, appropriate action will be taken in accordance with the relevant procedure. This may include disciplinary action, remedial measures, or ongoing precautionary arrangements, depending on the nature and severity of the case.
- 11.4 Persons directly affected by outcomes and decisions related to the investigation of incidents of harassment and/or sexual misconduct will be informed directly of the decision and the reasons for them.

12. Confidentiality and Handling of Information

- 12.1 All information disclosed during a disclosure, preliminary meeting, and any subsequent investigation will be handled sensitively and shared securely only on a need-to-know basis.
- 12.2 Boomsatsuma will respect confidentiality. However, 'confidential' does not mean that all information can remain entirely secret. It may be necessary to share relevant information with appropriate staff at Boomsatsuma, or in some circumstances with external organisations such as the police, in order to investigate a matter, provide support, fulfil safeguarding responsibilities, or meet legal obligations.
- 12.3 Information will be handled fairly and in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Boomsatsuma will take reasonable steps to ensure that only the information necessary for a particular purpose is shared.

- 12.4 Where possible, individuals will be informed about how their information will be used, who it may be shared with, and the reasons for this. This applies to both the Reporting Party and the Responding Party.
- 12.5 Boomsatsuma will balance the need to respect confidentiality with its duty to ensure that investigations are conducted fairly and that all parties are able to respond to the information relevant to the case.

13. Support for Students

- 13.1 Boomsatsuma is committed to ensuring that students affected by harassment or sexual misconduct are provided with appropriate support. Details of internal and external support services are listed in Appendix A at the end of the Policy.
- 13.2 Support is available to students who have experienced, witnessed, or are alleged to have been involved in an incident, whether or not a formal complaint is made. Support can be accessed through the Student Support and Wellbeing team.
- 13.3 Following a disclosure or report, Boomsatsuma will offer support tailored to the needs of the student. This may include access to internal support services, signposting to external specialist services, and guidance on available options.
- 13.4 Support may include personal support, such as wellbeing or counselling services, and academic support where appropriate. Academic support may include consideration of attendance, assessments, extensions, or other adjustments to support continued engagement with study.
- 13.5 Boomsatsuma will take reasonable steps to ensure that students are able to continue their studies where they wish to do so, and that any support provided is appropriate to their individual circumstances. Where this is not viable, Kingston University's Wellness to Study Procedure [\[Link\]](#) may apply.

14. Freedom of Speech Principles

- 14.1 Boomsatsuma will apply this Policy in a manner consistent with freedom of speech within the law and academic freedom.
- 14.2 In considering whether conduct may amount to harassment, Boomsatsuma will have particular regard to the importance of lawful freedom of speech, academic freedom, and tolerance for controversial views in an educational context or environment.
- 14.3 Exposure to course materials, teaching content, or views expressed as part of teaching, learning, or discussion in a higher education context will normally be unlikely to amount to harassment. Please refer to Boomsatsuma's Freedom of Speech Policy [\[Link\]](#).

15. Prominence Principles

- 15.1 This Policy forms Boomsatsuma's local single source of information on harassment and sexual misconduct for higher education students and will be made available in a clear and prominent location on the Boomsatsuma website. It will be accessible to current students, staff, and prospective students without the need for any form of login.
- 15.2 Boomsatsuma will ensure that clear and accessible information about this Policy, its purpose, and how to access it is communicated directly to all students and staff at least once each academic year.
- 15.3 Reference to this Policy, and how to access it, will also be included within key documents provided to students and staff, including Course Handbooks.
- 15.4 Where revisions are made to this Policy, Boomsatsuma will ensure that historical versions remain available for an appropriate period, including through the version history table in Appendix B. This will enable users to identify the version of the Policy that was in place at a given time.

Boomsatsuma will also be transparent about changes made to the content of the Policy.

16. Recording and Monitoring

- 16.1 Boomsatsuma will maintain appropriate records of reports and incidents of harassment and sexual misconduct in order to support fair and consistent decision-making and to inform ongoing improvements. Information will be recorded in a sensitive manner and, where appropriate, anonymised when used for monitoring and review purposes.
- 16.2 Summary data will be reviewed periodically by the Student Engagement and Experience Committee to identify patterns, risks, and areas for improvement. Insights from this monitoring will be used to inform preventative measures, training, and the ongoing development of policy and practice, with the aim of making a significant and credible difference in protecting students from harassment and/or sexual misconduct.
- 16.3 All records will be stored securely and retained for a minimum period of three years. Records may be retained for a longer period where necessary, for example where there are ongoing investigations, appeals, complaints, or other processes, or where retention is required to protect the interests of students. All information will be handled in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

17. Review

- 17.1 This Policy will be reviewed periodically by the Quality and Standards Committee to ensure it remains aligned with relevant legislation, regulatory expectations, and provider practice.
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Appendix A – Internal and External Support Services

Internal Support

Student Support and Wellbeing – contact Grainia Pederson by Google Chat or email graina@boomsatsuma.com for support or if you would like help engaging specialist external counselling services.

Staff Office – if on site and you need assistance, please come to the staff office at the main Tobacco Factory building.

External Support

24/7 Rape and Sexual Abuse Support Line – 0808 500 2222 (24 hours, free) or online chat via <https://247sexualabusesupport.org.uk/>.

SARSAS (Somerset and Avon Rape and Sexual Abuse Support) – 0808 801 0456 or online chat at <https://www.sarsas.org.uk/> (opening hours on website homepage).

Victim Support – 0808 168 9111 or 24/7 online chat service at <https://www.victimsupport.org.uk/>

The Bridge – A sexual assault referral centre (SARC) for people living in Bristol, South Gloucestershire, North Somerset, Bath and North East Somerset or Somerset. Offers counselling, medical care and information about making a report to the police. Call 0117 342 6999 at any time or visit <https://www.thebridgecanhelp.org.uk/>

Reporting to the Police

If the situation is not urgent and you decide that you would like to report to the police, you can do so by calling 101 or going to the nearest police station.

In an emergency, where there is an immediate risk to life or a threat of violence, call 999 or go to the nearest A&E.

Appendix B – Version History

Version	Date	Changes
1	10 June 2026	New draft