



ICEP Europe Sexual Misconduct and Harassment Policy

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1. Introduction and Purpose

ICEP Europe is committed to maintaining a learning and working environment where sexual misconduct is never tolerated and where all reported incidents are taken seriously and addressed thoroughly. Every member of the ICEP community—including learners, staff, contractors, and representatives—shares responsibility for fostering a culture of dignity, respect, and safety.

This policy sets out ICEP Europe’s position on sexual misconduct and harassment. It outlines the procedures for reporting, investigating, and responding to such behaviours and defines the rights and support available to all parties involved. The policy applies to all ICEP learners, academic and support staff, adjunct faculty, external contractors, and those engaging with ICEP through partnerships or collaborative provision.

ICEP Europe is dedicated to cultivating an inclusive environment that celebrates diversity, challenges inequality, and actively supports all members of its community. We acknowledge that the impacts of sexual misconduct can be profound, and that individuals from certain groups—such as women, LGBTQI+ persons, and people with disabilities—may face disproportionate risk. ICEP is committed to providing both internal and external support pathways in response to these challenges.

This policy will be activated when ICEP Europe receives a written report indicating that a learner or staff member may have engaged in sexual misconduct or harassment, including actions that occur on digital platforms.

2. Scope

This policy applies to:

- All ICEP Europe students
- ICEP Europe staff members
- Witnesses to an incident
- External individuals reporting an ICEP Europe student (subject to suitability and reviewed on a case-by-case basis)

Partnership Programmes

In cases involving Academic Partners, the partner institution's policy may apply. This policy may be adapted by Academic Partners for local implementation where appropriate.

Disclosures

- May be made to any ICEP Europe staff member
- Do not automatically initiate a disciplinary investigation
- Will be handled sensitively and confidentially

Applicability

This policy applies only when ICEP Europe receives a written report regarding an ICEP Europe student that may breach the Sexual Misconduct section of the Institution's Code of Conduct.

Anonymous Reports

Anonymous allegations are not normally acted upon, but ICEP Europe may consider them on a case-by-case basis.

Eligible Reporters

- ICEP Europe students
- ICEP Europe staff
- External individuals (subject to suitability assessment)
- Witnesses (who may report directly to the Student Support Officer)

Depending on the information provided, the Student Support Officer may either:

- Initiate disciplinary action, or
- Place the case on hold pending further evidence

Confidentiality for External Reporters

External individuals who submit a report will not be informed of whether the allegation is processed under any institutional policy, in order to protect the personal data and privacy of students.

3. Policy Statement

All ICEP Europe students are expected to adhere to the standards of behaviour required of them as a member of the ICEP Europe learning community. ICEP Europe recognises

that students are responsible for their own behaviour and that in any community of adults', disputes between individuals may arise.

Sexual Misconduct is defined as any unwanted conduct of a sexual nature. The Learner Code of Conduct cites the following as examples of sexual misconduct.

Sexual misconduct refers to any unwanted or inappropriate behaviour of a sexual nature that violates the dignity, safety, or boundaries of others. ICEP Europe does not tolerate such behaviour in any form. Examples include, but are not limited to:

- Making sexualised comments or jokes that cause offence or discomfort
- Sharing sexually explicit content or imagery in class or on digital platforms
- Sending unsolicited messages of a sexual nature to fellow learners or staff
- Inappropriate touching, comments, or gestures during in-person or online interactions
- Engaging in relationships with staff where a power imbalance exists
- Disregard for personal boundaries in learning or group activities

ICEP Europe recognises that sexual violence and misconduct refers to a broad spectrum of behaviours that often cannot be separated from other types of gender-based violence including intimate partner violence or domestic abuse, coercive and/or controlling behaviour, and stalking.

Further examples of unacceptable behaviour might be:

- Domestic abuse and coercive or controlling behaviour.
- Psychological, physical, sexual, financial and/or emotional abuse.
- Stalking and obsessive behaviour.
- Repeated, persistent and intrusive behaviour causing fear of violence or engenders alarm and distress in the victim.

These examples are intended to be illustrative and not exhaustive.

4. Key Principles

ICEP Europe's approach to handling sexual misconduct is guided by principles of accessibility, clarity, proportionality, timeliness, and fairness, ensuring that the process enhances the safety and wellbeing of the wider student and staff community.

The disciplinary process is conducted in a fair and transparent manner, in accordance with the principles of natural justice. It is an internal, administrative procedure—not a legal or criminal process—and does not replicate criminal law.

ICEP Europe treats all personal data with confidentiality, care, and proportionality, in line with its Information Management and Data Protection Policy. Information will only be shared with relevant individuals or external agencies (e.g., counsellors, support services, police) and only with the Reporting Party's consent, unless there is a safeguarding concern.

The outcome of a panel hearing is determined on the balance of probabilities—that is, whether it is more likely than not that the Code of Conduct was breached. If this threshold is not met, or if evidence is insufficient, no further action may be taken.

Both the Reporting Student and the Responding Student will be informed of the process, their rights, and available supports. ICEP Europe will respect the wishes of the Reporting Party regarding whether to:

- Proceed under this policy,
- Report to the police, or
- Seek an informal resolution

Support will be offered regardless of their decision.

ICEP aims to complete the disciplinary process within 90 working days of initiating an investigation, unless there are legitimate delays (e.g., ongoing criminal proceedings). Investigations will be conducted in a fair, impartial, and sensitive manner.

Both parties may be accompanied to meetings or hearings by a support person (e.g., a friend or family member), who may not act as a legal representative or speak on their behalf. Students may also request to be supported by an ICEP staff member (e.g., Student Support Officer or academic advisor), who may speak on their behalf during hearings.

The Responding Student may appeal any disciplinary outcome or sanction. The Reporting Student may appeal where they receive a formal outcome following a Risk Assessment Group determination.

All ICEP Europe staff involved in the process will act with impartiality and discretion. All participants are expected to maintain confidentiality. Unauthorised disclosure of information may be treated as a breach of policy.

ICEP Europe may share information without consent in exceptional cases, where necessary to protect individuals or prevent harm or criminal activity.

Both parties will be kept informed of key developments and offered support throughout. ICEP Europe views this process as a means to uphold behavioural standards, safeguard the community, and foster a respectful, inclusive learning environment.

5. Procedure for Addressing Sexual Misconduct at ICEP Europe

5.1 Disclosure and Reporting of an Incident

ICEP Europe encourages all individuals—learners, staff, witnesses, or external parties—to come forward if they have experienced or observed sexual misconduct involving an ICEP Europe student. Creating a safe environment for disclosure and reporting is a core part of ICEP Europe’s commitment to safeguarding and wellbeing.

Disclosure vs. Formal Report

- A **disclosure** is when someone shares an experience of sexual misconduct with a staff member but does **not** necessarily wish to initiate a formal disciplinary process.
- A **formal report** involves submitting a written account that may lead to a disciplinary investigation under this policy.

Disclosures may be made to:

- The Student Support Officer
- The QAE Manager
- Any designated ICEP Europe staff member

Disclosures may be submitted by:

- A learner or staff member directly involved
- A third-party witness
- An external individual (subject to suitability assessment)

Disclosures can be made in person, via email, or using the designated reporting form.

ICEP Europe aims to acknowledge receipt of all written reports within 5 working days.

Confidentiality and Safeguarding

ICEP Europe treats all disclosures with sensitivity and confidentiality. Information will be shared only with relevant individuals or agencies, and only with the consent of the Reporting Party—**except** where there is a safeguarding concern or risk of serious harm to any individual or the wider community. In such cases, ICEP Europe may be legally required to share limited information with external authorities (e.g., police or safeguarding bodies).

Support at the Point of Disclosure

At the point of disclosure, the Reporting Party will be:

- Offered internal wellbeing support
- Provided with information on external specialist services (e.g. rape crisis centres, counselling, domestic violence support)
- Informed about their options, which may include:
 - Submitting a formal report under this policy
 - Reporting to the police
 - Seeking informal resolution (if appropriate)

ICEP Europe respects the wishes of the Reporting Party and will support them whether or not they choose to initiate formal proceedings or report to external authorities. However, in cases where a risk to others is identified, ICEP may need to act to protect the wider learning community.

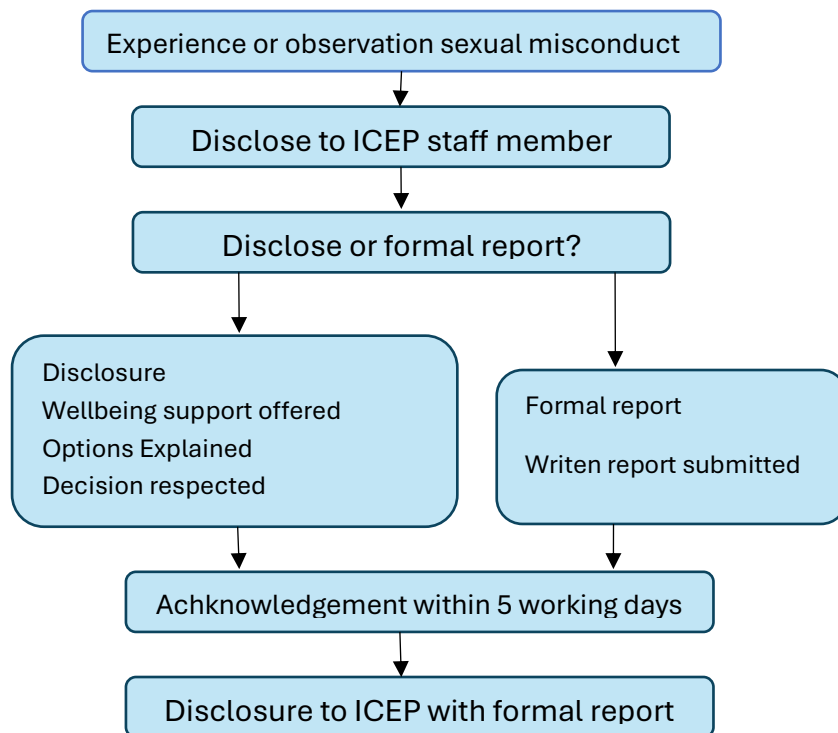
Handling Reports from External Parties

Where a report is submitted by someone who is neither a member of staff nor a student (e.g. a member of the public), ICEP Europe will assess its suitability on a case-by-case basis. Due to data protection and privacy obligations, ICEP will not confirm whether a disciplinary process has been initiated in response to an external report.

Anonymous Disclosures

ICEP Europe does not normally act on anonymous disclosures but may consider them on a case-by-case basis, especially where a safeguarding risk is identified.

Fig 1. Flowchart depicting Disclosure and Reporting Pathway for Sexual Misconduct Cases.



5.2 Triage and Risk Assessment

Upon receipt of a report, the QAE Manager will convene a Risk Assessment Group (RAG) to determine the immediate needs for safeguarding and wellbeing.

RAG Composition:

- QAE Manager (Chair)
- Student Support Officer
- A senior academic or SMT nominee
- A safeguarding-trained staff member or external safeguarding consultant

The RAG will:

- Evaluate risks to all parties and the wider learning community
- Determine any precautionary measures (e.g., no-contact orders, restricted access)
- Document and time-limit all decisions, with reviews at least every 4 weeks
- Consider appeals submitted to the QAE Manager with justifiable reasoning

Precautionary measures are **not disciplinary sanctions** and do not imply wrongdoing.

Categorisation of Cases

ICEP Europe classifies misconduct cases into two levels based on their severity and complexity. **Category 1** applies to less serious or first-time incidents that may be resolved informally through supportive interventions, mediation, or educational guidance without a formal investigation. In contrast, **Category 2** involves serious or potentially harmful behaviour—such as sexual misconduct, harassment, or breaches of professional boundaries—which require a formal investigation, a possible hearing, and may result in disciplinary sanctions. All allegations of sexual misconduct are treated as **Category 2** cases.

5.3 Precautionary Measures Prior to Disciplinary Action

To safeguard individuals and the wider learning environment, ICEP Europe may impose precautionary measures following a report. These are **not sanctions** and do not imply misconduct. The **Risk Assessment Group (RAG)** will be convened by the QA&E Manager to assess such measures.

The RAG may include:

- QAE Manager
- Student Support Officer
- Academic Programme Director or SMT nominee
- Safeguarding-trained staff member or external safeguarding consultant

Precautionary actions may include:

- Restricted participation in certain modules or forums
- No-contact directives (mutual or one-sided)
- Temporary exclusion from online or in-person group activities

These actions are time-limited, reviewed at least every 4 weeks, and will be adjusted based on new information or changes in circumstances. Appeals against precautionary measures may be submitted to the QAE Manager with clear reasoning.

5.4 Formal Investigation and Categorisation

Allegations of sexual misconduct or gender-based violence are considered serious breaches of the Learner Code of Conduct and will be investigated under **Category 2 (Formal Level)** procedures.

The QAE Manager, in consultation with the Student Support Officer and a relevant SMT member, will determine whether the allegation will proceed under this policy or another disciplinary route (e.g., Personal Relationships and Professional Boundaries Policy).

An impartial Investigating Officer (IO) will be appointed (typically the QAE Manager or a nominee with no prior involvement in the case).

The Investigating Officer will:

- Gather statements and evidence from all relevant parties
- Conduct interviews with the Reporting and Responding Parties
- Clarify that the investigation is internal and distinct from any legal process
- Recommend whether a disciplinary hearing is necessary

Investigations aim to be completed within **90 working days**, unless legitimate delays occur (e.g., ongoing police investigations).

If the Responding Student does not engage, the Panel will proceed in their absence.

5.5 Rights of Supported Parties

Reporting Student has the right to:

- Report an incident and initiate the disciplinary procedure;
- Receive internal wellbeing support from ICEP's Student Support Officer;
- Be guided to external support services (e.g. Rape Crisis, domestic violence charities);
- Request disability-related accommodations during investigations or hearings;
- Present evidence and witnesses during investigation;
- Provide additional evidence before a hearing;
- Attend the hearing;
- Call witnesses;
- Be accompanied by a non-legal representative (e.g. trusted friend or advisor);
- Receive the outcome (where appropriate, based on risk assessment);
- Appeal the outcome (subject to receipt of outcome documentation).

Reporting Staff has the right to:

- Report an incident and initiate the disciplinary procedure;
- Receive internal wellbeing support or be signposted to external supports;
- Request accommodations related to disability or mental health;
- Present evidence and witnesses;
- Provide additional evidence prior to any hearing.

Reporting Witness has the right to:

- Report an incident;
- Request that a case be initiated (though this is subject to suitability review);
- Receive wellbeing support or referrals;
- Request accommodations if giving evidence;
- Provide evidence and identify witnesses.

Responding Student has the right to:

- Receive wellbeing support;
- Access referrals to external support services;
- Request disability accommodations;
- Present evidence and witnesses;
- Provide additional evidence prior to any hearing;
- Attend the hearing;
- Call witnesses;
- Be accompanied by a non-legal representative;
- Receive outcome documentation;
- Appeal the outcome.

5.6 Sexual Misconduct Panel Hearing

If the case proceeds to a hearing, the Sexual Misconduct Panel will be convened to hear the case. The Panel will comprise:

- A Senior ICEP staff member (Chair)
- One academic or QA staff member
- One external or impartial advisor

Panel members must declare any conflict of interest and will be independent of the investigation.

Hearing Protocol:

- Parties will be notified at least **7 working days in advance**
- Hearings typically take place via Microsoft Teams unless otherwise agreed
- All documentation, including the IO report, will be shared at least **3 working days prior**
- Witnesses must be declared **5 working days in advance**; the Chair decides on their inclusion
- Both parties may bring a non-legal support person (pre-approved)
- Inappropriate conduct by support persons may result in exclusion or adjournment
- Hearings may proceed in the absence of the Responding Student

During the hearing, all parties and the IO may present and be questioned. The Panel deliberates privately and decides on the **balance of probabilities**.

5.7 Outcomes and Sanctions

Possible outcomes include:

- Dismissal of the allegation
- Continuation of precautionary measures
- No further action despite confirmed misconduct
- Proportionate sanctions, which may include:
 - First or Final Written Warning
 - Student Conduct Accountability Agreement
 - Suspension
 - Exclusion
 - Expulsion (learners) or contract termination (staff)

If **expulsion** or **contract termination** is recommended, the case is escalated to the ICEP Provost (or nominee) for final review and ratification.

Panel outcomes will be shared with supported parties where appropriate, and all decisions will be recorded and retained in line with ICEP's data protection policies.

Post-Hearing:

- The decision, rationale, and any conditions will be communicated to relevant parties within **3 working days**
- Consent will be sought from the Responding Student before sharing the outcome with the Reporting Student
- The Student Support Officer will coordinate with academic staff to minimise academic disruption in cases of suspension or exclusion

Additional Notes

- All proceedings are conducted with strict confidentiality, unless safeguarding concerns require disclosure
- The disciplinary process is internal and separate from legal or criminal proceedings
- The overarching aim is to ensure a safe, respectful, and supportive learning environment for all members of the ICEP Europe community

6. Formal Appeals Procedure: Sexual Misconduct Cases

6.1 Right to Appeal

Any party (Reporting Student, Responding Student, or, where applicable, Reporting Staff or Witness) has the right to appeal the outcome of a sexual misconduct disciplinary process, including:

- The findings of the investigation or Panel
- The sanctions imposed
- A failure to follow due process

Appeals must be based on at least one of the following **grounds**:

- **Procedural irregularity** that affected the outcome
- **New material evidence** not reasonably available during the investigation or hearing
- **Disproportionate or inappropriate sanction**
- **Bias or conflict of interest** not previously identified

6.2 Submitting an Appeal

- Appeals must be submitted **in writing** to the **QAE Manager** within **10 working days** of receiving the outcome letter.
- The appeal submission must clearly:
 - State the grounds for appeal
 - Include supporting evidence or rationale
 - Propose an appropriate remedy or resolution

6.3 Appeal Triage and Review

- Upon receipt, the **QAE Manager** will confirm eligibility (i.e. whether the appeal falls within acceptable grounds and timeframe).
- If eligible, the case will be referred to an **Appeals Panel**, convened within **15 working days**.

6.4 Appeals Panel Composition

- Senior ICEP staff member (Chair, not previously involved)
- One academic or QA staff member (independent of original Panel)
- One external or impartial advisor

Panel members must declare any conflict of interest and will be entirely separate from the original hearing.

6.5 Appeals Panel Procedure

- The Panel will conduct a **paper-based review** in most cases. An oral hearing may be held at the Panel's discretion.
- The Panel may:
 - Uphold the original outcome
 - Overturn the finding
 - Amend or revoke sanctions
 - Refer the case back for reinvestigation or rehearing

6.6 Appeal Outcome

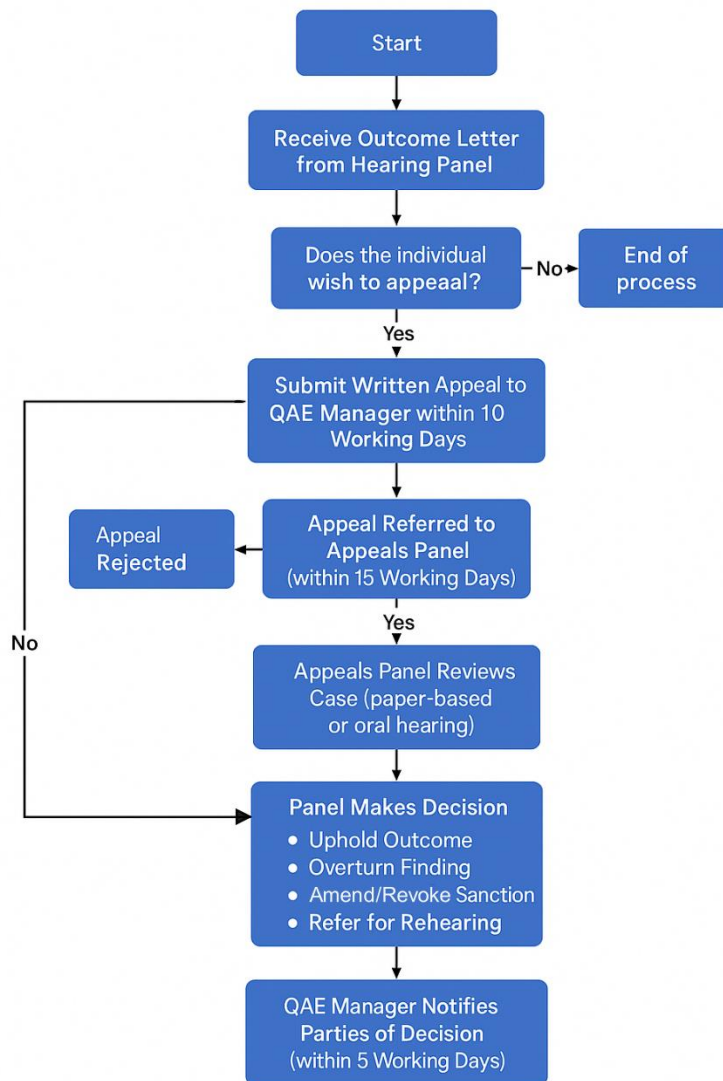
- The decision of the Appeals Panel is **final**.
- Parties will receive written notification of the outcome within **5 working days** of the Panel's decision.
- If the appeal results in a revised outcome, the same communication and safeguarding procedures will apply as with the original hearing.

6.7 Additional Notes

- Support and wellbeing services remain available throughout the appeal process.
- Appeals are internal to ICEP Europe and do not replace legal remedies.
- Submitting an appeal does not pause the implementation of sanctions unless explicitly stated.

Fig 2. Flowchart depicting Appeals Procedure for Sexual Misconduct Cases.

Appeals Procedure: Sexual Misconduct Cases



7. Data Protection and Confidentiality

All records and data will be managed under ICEP Europe's Information Management and Data Protection Policy. Information will be shared only with those who need to know for investigation, support, or safeguarding. Annual statistics on disclosed incidents of sexual misconduct, harassment, discrimination and related matters will be

retained by the Institution for the purposes of education, training and any reporting or publication that may be required. The statistics will not include any identifying information. Confidentiality breaches may result in disciplinary action.

8. Monitoring and Review

This policy will be reviewed annually by the QAE Team, in consultation with the Senior Management Team. Amendments will be informed by legislative updates, sectoral good practice, and feedback from learners and staff.

9. Related ICEP Europe Documents:

- Code of Conduct
- Academic and Non-Academic Misconduct Policy
- Equality, Diversity and Inclusion Policy
- Learner Complaints Policy
- Appeals Policy and Procedure
- Information Management and Data Protection Policy
- Staff Recruitment and Induction Policy
- Personal relationships and professional boundaries policy

10. External Policies

This Policy/Regulation complies with the following guidance put forth the Office for Students (OfS):

[Condition E6: Harassment and sexual misconduct - Office for Students](#)

[Statement of Expectations relating to Sexual Misconduct](#)

11. Links to Support Organisations and Networks

Community Support Available and Reporting

[Student Union Advice Team](#)

Independent Sexual and Domestic Violence Liaison

[Sexual Assault Referral Centres](#)

[NSPCC](#)

National Support Available and Reporting

- The Havens Victim Support
- The Survivors Trust
- Survivors UK (for male victim survivors of sexual assault)
- Galop (LGBT+ anti-violence charity)
- Respect
- Women and Girls' Network Women Against Rape The Survivors Trust
- One in Four
- Revenge Porn Helpline Respond
- Woman's Trust
- National Stalking Helpline

UK Helplines

- The 24-hour freephone National Domestic Abuse Helpline, run by Refuge, on 0808 2000 247
- The Rape Crisis national freephone helpline on 0808 802 9999 (12 - 2.30pm and 7 - 9.30pm every day of the year).
- Are you in immediate danger? If you are in immediate danger or seriously injured, you can call 999 or 101 to connect directly with the police.

12. Full list of Definitions

A list of terminology used within this document and the definitions

- **Harassment:** Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Sexual Misconduct:** Any unwanted conduct of a sexual nature, including but not limited to:
 - Verbal harassment (e.g. catcalling, sexual innuendo).
 - Unwanted sexual comments or jokes.
 - Non-verbal harassment (e.g. staring, sexually explicit imagery).
 - Sending unwanted sexual messages or solicitations.
 - Physical contact without consent, including kissing or intercourse.

- Sharing or threatening to share sexual images or content without consent.
- Stalking, coercive, or controlling behaviour.
- **Professional Boundaries:** Boundaries that maintain appropriate and ethical staff-learner and colleague-colleague relationships. Sexual or overly personal relationships between staff and learners may constitute a breach of this principle.
- **Report:** A written sharing of information with a staff member of ICEP Europe regarding an incident of sexual misconduct experienced by that individual for the purposes of initiating the investigation process by ICEP Europe.
- **Reporting Student:** A student reporting themselves to have experienced harassment or sexual misconduct.
- **Reporting Staff:** A staff member reporting themselves to have experienced such behaviour.
- **Reporting Witness:** An individual reporting that another person has experienced such behaviour.
- **Responding Student:** A learner reported to have perpetrated the behaviour.
- **Supported Parties:** Both the Reporting and Responding individuals.
- **Disclosure:** Involves an individual choosing to tell anyone who is part of the Institution community about their experience of Sexual Misconduct. A disclosure to a staff member is not a report under this policy.
- **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, and each new sexual act requires a re-confirmation of consent as the foundation of a healthy and respectful sexual relationship. Consent may be withdrawn at any time before or during a sexual act.
- **Freedom to consent:** For consent to be present, the individuals have to freely engage in a sexual act. Consent cannot be inferred from a lack of verbal or physical resistance. Consent is not present when submission by an unwilling participant results from coercion, force, threat, intimidation or the exploitation of power.
- **Coercion or Force:** Includes any physical or emotional harm or threat of physical or emotional harm which would reasonably place an individual in fear of immediate or future harm, with the result that the individual is compelled to engage in a sexual act.
- **Capacity to consent:** Free consent cannot be given if the individual does not have the capacity to give consent. 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, this includes being drunk or under the influence of drugs.

- **Expulsion:** refers to a Responding Students' complete removal from ICEP Europe. Any access to ICEP Europe systems would be halted and the student can no longer complete their degree within the Institution.
- **Sexual harassment:** Unwanted conduct of a sexual nature that has the purpose or effect of violating the individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Suspension:** A halt on the Responding Students' record, disabling them to continue with their academic studies for a specified amount of time.
- **Exclusion:** refers to a ban set against the Responding Student, excluding them from specific ICEP Europe activities, spaces within campuses or campuses in whole.