



Student Sexual Misconduct Policy



Scope: All students of City St George's, University of London.

Senate Regulations:

[Senate Regulation 13: Student Discipline](#)

Summary

This policy provides our principles for how we will enable students to report allegations of sexual misconduct and how we will respond to these. The policy provides our definitions relating to sexual misconduct. The policy sets out support for students reporting sexual misconduct and sets out how the student disciplinary regulation/fitness to practice policy will be applied to students responding to allegations of sexual misconduct.

Date approved/re-approved:

Approved by Senate, October 2020
Re-approved May 2023, July 2025

Date for review: To be reviewed at the end of 2025/26 Academic Year, with allowance for minor updates of roles and responsibilities by Senate, as required by changes in law or in operational practices.

Effective from: 1 September 2025

To be read in conjunction with:

Senate Regulation 13 Student Discipline
Student Bullying and Harassment Policy
Fitness to Practice (Train) Policy

Equality and Diversity Statement

We are committed to promoting equality, diversity and inclusion in all our activities, processes, and culture, under the Public Sector Equality duty and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

We are committed to championing equality. This includes where applicable to this policy. In the coordination and make up of our decision-making Panels we are striving to fulfil our commitments to racial equality, gender balance, and actively consider representation of other protected groups.

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Introduction and Key Principles

1. City St George's, University of London works to provide an environment where all students are supported to feel safe, respected and able to challenge inappropriate behaviours whenever they occur. Our principles make it clear that sexual misconduct in all its forms will not be tolerated.
2. We are committed to preventing and eliminating all forms of sexual misconduct. This means working with the Students' Union, students and staff to raise awareness of harmful and abusive behaviour, aiming to changing the culture at the University.
3. We recognise the significant negative effects that sexual misconduct can have upon individuals, and we commit to supporting them. We also recognise that there are barriers to reporting incidents of sexual misconduct internally (and externally) and want to work with students to reduce these where we can.
4. Our policy and procedures provide a supportive and confidential way to allow individuals to feel confident and empowered to disclose incidents. We will endeavour to respond appropriately and effectively to any breaches of the Student Sexual Misconduct Policy and [associated regulations](#).
5. City St George's University of London holds the following key principles to reflect the University's commitment to establishing a culture of support and respect where sexual misconduct is not tolerated. All members of the university have a responsibility to uphold these principles:
 - a. We will always treat all members of our community with dignity and respect, and it is expected that all members of our community will share in this responsibility for fostering and sustaining a safe environment in which to study, learn and work.
 - b. We acknowledge that anyone can be subjected to sexual misconduct regardless of sex, gender, sexual orientation, relationship status, age, (dis)ability, faith/belief, ethnicity, race, nationality, and/or economic status
 - c. We recognise the significant impact of all incidents of sexual misconduct and acknowledge the bravery it takes for individuals to disclose incidents.
 - d. We will respond to all disclosures of sexual misconduct, including those that may constitute a criminal offence, with care and will aim to respect the choices of those who report as to what they want to happen as a result of the disclosure.
 - e. There is no time limit for reporting incidents of sexual misconduct to the University. However, it is accepted that the passage of time is likely to make it more difficult for action to be taken
 - f. All University staff are informed of the Policy and will be trained in a way that is appropriate to their role.
 - g. The process for investigating and determining outcomes should be timely, fair and transparent and refer to other policies and regulations of the University where appropriate.
 - h. All parties involved in investigations will be provided with support for the duration of the case that is either internal or signposted to external specialist agencies.
 - i. We will seek to learn from experience, enabling the University to both shape and respond to national and international policy and practice, and to provide regular assurance to Council, Senate, the University Senior Leadership Team and the wider University community, that specific incidents and broader cultural issues are appropriately captured and addressed.
 - j. Formal disciplinary actions or sanctions will not normally be imposed for drug possession and/or use by Reporting Parties. Individuals may be provided with

resources on drug counselling and/or education, as appropriate. This applies to any person who, in good faith, reports misconduct or seeks medical assistance from the University or emergency services for themselves or another individual whose health or safety is at risk. The same principle applies to other types of less serious misconduct. Advice on specific circumstances can be provided by the ACE Team (in Clerkenwell and Moorgate)/SCC Team (in Tooting) and/or Human Resources prior to disclosures or reports being made.

Staff-Student Personal Relationships

6. To uphold the highest standards of integrity, trust, and student safety, the University prohibits intimate or sexual relationships between staff and students where the staff member has, or could reasonably be perceived to have, influence over the student's academic progress, assessment, supervision, pastoral care, or access to resources and opportunities.
7. Where a pre-existing relationship exists, or one develops, the staff member must declare the relationship immediately to their line manager and Human Resources. Appropriate steps will be taken to remove any conflict of interest, including reallocation of supervisory or assessment responsibilities. Failure to disclose such a relationship will be treated as a serious disciplinary matter.
8. This is in line with the Office for Students E6 Condition of Registration, which requires institutions to take credible steps to protect students from the risks of abuse of power, coercion, or conflicts of interest in staff-student relationships. For further details, please refer to City St George's Professional Personal Relationships Policy.

Definitions

9. There are many types of behaviour and actions that constitute sexual offences under the law in the UK. We understand that there are many reasons why people may not want to make a formal report to the police and pursue a criminal route of redress following a disclosure. In the context of this policy, we can support students and investigate reports of incidents relating to students that may constitute a criminal act, but we will do so within the parameters of this policy and the available expertise of university staff. We are advised by sector guidance in this area (see Appendix 1).
10. The following paragraphs set out a list of potential offences with definitions.
11. **Sexual misconduct:** conduct that is sexual, unwanted and causes distress. Examples:
 - **Sexual harassment:** Under section 26 (2) of the Equality Act 2010, harassment is defined as unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
 - **Sexual Assault:** Section 3 of the Sexual Offences Act 2003 states that elements of the offence of sexual assault are:
 - A person (A) intentionally touches another person (B) • the touching is sexual
 - (B) does not consent to the touching, and
 - (A) does not reasonably believe that (B) consents.
 - **Rape:** Section 1 of the Sexual Offences Act 2003 states that the elements of rape are: • (A) intentionally penetrates the vagina, anus or

mouth of another person (B) with their penis; • (B) does not consent to the penetration, and • (A) does not reasonably believe that (B) consents. Rape is a crime of basic intent and drunkenness is not considered a defence.

(<https://www.legislation.gov.uk/ukpga/2003/42/part/1>). Legally, a person without a penis cannot commit rape, but a person without a penis may be guilty of rape if they assist a person with a penis who is a perpetrator in an attack.

- **Assault by penetration:** defined under Section 2 of the Sexual Offences Act 2003. It involves intentionally penetrating the vagina or anus of another person with a body part or object, without their consent. The act must be sexual in nature, and the perpetrator must not reasonably believe that the other person consented.

12. **Gender-based violence** is violence directed against a person because of their gender.
13. **Online sexual misconduct** includes cyberstalking which is repeated and deliberate use of the internet and other electronic communication tools to engage in persistent, unwanted communication intended to frighten, intimidate or harass someone. Also included is image-based sexual abuse or what is known as 'revenge pornography' i.e., recording or sharing sexual or intimate photos or videos, without the consent of the person pictured.
14. **Up-skirting** is filming or photographing under a person's clothes without their consent to capture images of their body or underwear.
15. **Stalking** is defined as **a pattern of repeated, unwanted behaviour that causes distress or fear in the victim**. It is covered under the **Protection from Harassment Act 1997**, with additional provisions introduced by the **Protection of Freedoms Act 2012**.
16. **Relationship abuse** is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been, intimate partners; this may include psychological, physical, sexual, financial and/or emotional abuse.
17. **Strangulation:** the legal definition of **strangulation** in the UK is set out in **Section 75A of the Serious Crime Act 2015**, as inserted by the **Domestic Abuse Act 2021**. The offence is titled "**Strangulation or suffocation**", and it states:
A person ("A") commits an offence if:
 - (a) A intentionally strangles another person ("B"), or
 - (b) A does any other act to B that:
 - (i) affects B's ability to breathe, and
 - (ii) constitutes battery (unwanted application of force to the body of another)

Key Points:

 - The act must be **intentional**.
 - It includes both **manual strangulation** and **other acts** (e.g., smothering) that impair breathing.
 - It is a **standalone offence**, meaning it can be charged separately from other forms of assault or abuse.
 - **Consent is not a defence** if:
 - The victim suffers **serious harm**, and

- The perpetrator **intended or was reckless** as to causing that harm.
18. **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 usually starts as befriending someone and making them feel special and may result in sexual abuse and/or exploitation.
 19. **Group sexual misconduct** is where a group of people organise to plan and enact sexual abuse to one or more persons.
 20. **Complicity** is any act that knowingly helps, promotes or encourages any form of sexual misconduct by another individual.
 21. **Retaliation** is any adverse actions against another person, including but not limited to, harassment, threats, intimidation, or coercion, made in response to someone disclosing or reporting any form of sexual violence.

Consent

22. A clear understanding of consent is fundamental to respectful relationships. Cases of sexual misconduct often include a determination of whether consent was sought and gained before and during a sexual act. The University is committed to promoting an understanding of consent as part of the commitment to a culture of respect and dignity.
23. Consent is the agreement by choice to a sexual act and having the *freedom* and *capacity* to make that choice. The person seeking consent should always take steps to ensure that consent is freely given, that it is informed and recognises that it can be withdrawn at any time.
24. **Freedom to consent:** A person is free to make a choice if they understand that there will be no negative consequences for them if they said no. For example, a person may *not* feel free to make a choice if:
 - a. they are being threatened (for example with violence, humiliation etc)
 - b. they believe that the continuation or assessment of their studies, or progression or advancement of their career, will be at risk if they refused
 - c. they are being intimidated or coerced
 - d. there is a significant power imbalance in the relationship between the parties, and the party with less power, feels pressured to continue against their will.
25. **Capacity to 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, a person does not have the capacity to give consent if:
 - a. they are asleep or unconscious
 - b. a person may also not have capacity to give consent if they have, for example, a cognitive or learning difficulty, or are experiencing a mental health crisis.
26. **Gaining consent:** Obtaining consent is not simply a matter of hearing 'yes' or 'no', it includes body language, actions and reciprocity. If there is any doubt as to the level of one's own or another's capacity, the safest approach is to not engage in the sexual act.
27. A misunderstanding of consent or a misjudgement can have traumatic consequences. It is important to be very clear and note:

- a. Being intoxicated with alcohol or drugs is never a defence for committing an act of sexual misconduct, or for failing to obtain consent.
- b. Consent needs to be negotiated every time you initiate sexual acts and also during sex acts as you start to do different things.
- c. Any prior sexual activity or relationship does not constitute consent – never assume that previous consent applies at any other time.
- d. Consent may be withdrawn at any time, including during sexual acts.
- e. Consent can never be implied, assumed or coerced.

Policy Overview and Scope

28. This policy clarifies the process the University will undertake when investigating allegations of sexual misconduct when the reporting and/or the responding party are/is a student.
29. [Regulation 13: Student Discipline](#), the Investigating Officer protocol, and the Fitness to Practise Policy (if the responding party is an SHMS student) sets out the specific detail of how an investigation will be conducted and provides the main source of information for a responding person to refer to. This policy however provides some additional clarification in relation to aspects of the process set out in Regulation 13 that are specifically relevant to investigations relating to sexual misconduct. The [Student Hub](#) provides further detail of the support available for students both reporting and responding to sexual misconduct allegations (see paragraph 48 for more detail).
30. This policy is relevant to all members of the City St George's community whilst they are registered as a student or employed as a member of staff in their capacity either as the reporting person or responding person, where one or more of these is a student. It is also relevant for those staff investigating allegations.
31. All students and staff members who have been subjected to sexual misconduct will have equality of access to both internal and external specialist support (e.g. Sexual Assault Referral Centre and Rape Crisis), regardless of when the incidents occurred.
32. Cases involving a student can only be investigated by the University when the responding person is registered as a student with, or employed by, the University.
33. This policy relates to all incidents of sexual misconduct as defined in section 3 (offences) that occur on or off campus, in campus or private accommodation, happen in person or online.

Process for Investigations

34. Other University regulations and procedures will determine the process of a disclosure or report, should a reporting person wish an investigation to take place. Key reference documents (a fuller list can be found in Appendix 1) are Regulation 13: Student Discipline, Fitness to Practise (Train) Policy and the Staff Disciplinary Procedure.
35. The person who makes a disclosure of sexual misconduct will be called the **reporting person** and the person who is named as the alleged perpetrator of the incident will be called the **responding person**.
36. **A disclosure** is when a person informs the University that they have been subjected to some kind of sexual misconduct regardless of their wish to pursue a formal report. For example, a disclosure could be made because a person would like to access support

only. A submission made via Report & Support is a disclosure, not a report. It could later be used as part of a report if the person wishes the university to take formal action.

37. **A report** is when that disclosure names an alleged perpetrator and is formally received and considered for investigation via this policy and procedure. For example, a disclosure becomes a report when the reporting party confirms they wish the university to take formal action and provides sufficient detail to enable the investigatory process to commence.
38. **Investigating Officer** is a member of University staff who has undertaken training to investigate sexual misconduct cases and is committed to ongoing training. External investigators may be appointed by the University. The Investigating Officer will determine the next steps in line with the relevant regulation or procedure.
39. **An anonymous report** is a notification to the University that an incident had happened when the reporting person does not want to provide their details. Anonymous Reports will be considered on a case-by-case basis. It is accepted that anonymity may make it more difficult for the University to act. The university will take action to meet its duty under the OfS E6 Condition of registration which may include but not limited to data recording, support provision, risk assessment, and investigation or disciplinary proceedings.
40. If a student makes a report of sexual misconduct where the responding party is a member of the public unrelated to the University, the University would usually advise the reporting student to report this to the police. Although the University will not be able to take action against the member of the public, University support services will be available to support the reporting student by signposting them to relevant support services internally and externally.
41. Where a Report is received by the University making allegations against a student, action will be taken in accordance with the Student Disciplinary Regulations or the Fitness to Practise Policy (for SHMS students on professionally regulated courses). A suitable staff member will normally have an initial meeting with the Reporting Party at the earliest opportunity. Within this meeting, the Reporting Party has the following options available to them (more than one option can be taken):
 - Request the University formally investigates the incident. Informal resolution of allegations of this nature is not normally appropriate and will not normally be recommended.
 - Report the incident to the Police, if not already done so.
 - Initiate support internally and/or via external agencies.
 - Take no further action at this time Any instance of sexual misconduct that has been reported to the police will not normally be investigated by the University until police and legal proceedings have concluded. The University will still seek to support the reporting person and the responding person and may implement temporary precautionary measures in doing so.
42. Students are encouraged to make a report in their own right. Students can make a report using the University's [Report and Support Tool](#). Reports can be submitted with personal details or anonymously.
43. In sexual misconduct cases, **precautionary and/or intermediate action** may be required to protect the integrity of the investigation and to safeguard the welfare of both

the reporting person and responding person, as well as protecting others from potential harm, while having the minimal possible impact on the responding person.

44. Precautionary/intermediate action will be decided following a risk assessment. Any precautionary action is intended to be a precaution to achieve the above aims and is not a penalty or sanction, and nor does it indicate a decision on the part of the University as to whether breaches of this Policy, or a criminal offence, has occurred.

Procedure Diagram

Disclosure of an incident

Reporting student is advised on available support.

Reporting student decides whether to make a formal report to the University for consideration under a relevant procedure.

Formal report to the University

If the responding party is a student, the report is considered under Regulation 13: Student Discipline or Fitness to Practise (Train) for SHMS students on professionally regulated courses.

Reporting student confirms allegations (can bring a supporting person). They provide information, evidence and witnesses. They are provided with a point of contact (POC) to support them throughout the process.

Risk assessment and possible precautionary, interim support measures are implemented.

Investigating Officer is appointed.

Responding party is informed of allegations against them and is advised on available support. They are provided with a POC to support throughout the process.

Initial investigation

Responding student meets investigator to respond to the allegations (can bring a supporting person). They can provide information, evidence and witnesses.

Reporting student, witnesses or third parties meet investigator to provide further information and evidence if needed.

Investigation report and recommendations shared with case handler.

Aim to conclude investigation stage within 30 working days. For complex cases this may take longer

Resolution at Stage 1 or Stage 2 if the matter is substantiated

Stage 1

Recommendations and outcomes (where appropriate). A case of sexual misconduct will usually be considered at Stage 2.

Reporting and responding students are notified.

Stage 2

Academic Services proceed to schedule Disciplinary Panel hearing. Panel members are provided with any evidence, information and witness statements that have been submitted.

Reporting and responding students are notified.

Stage 2 Panel hearing within 28 days of completed investigation report

Responding student is invited to attend the Panel (can bring supporting person). Panel may ask questions and will invite them to respond to the allegations.

Reporting student is a witness in the case. They are not obliged to participate but may be invited to attend the Panel (can bring supporting person or join remotely).

Panel Hearing outcome within 10 working days of Panel meeting

Responding student is provided with the outcome and sanctions (where applied).

Reporting student is provided with details of the outcome that are relevant to them.

Responding student may appeal the outcome decision within 21 days, subject to specific grounds, and as outlined in Regulation 13.

Reporting student may not appeal the outcome but may be signposted to ongoing support and other relevant procedures such as the Complaints process.

Appeal is considered and a decision is reached. The outcome is shared with the responding student. An outcome summary (and details of any sanctions that apply to them) is shared with the reporting student.

Completion of University Procedures. Responding student may take case to the OIA if they remain dissatisfied.

Confidentiality and Data Sharing

45. When providing the reporting party with a resolution to their report, the University is bound by the requirements of the General Data Protection Regulation (GDPR) and its duty of care to all students and staff. The University will not share the full details of the outcome of an investigation with the reporting party. The University does, however, acknowledge the need for the reporting party to feel that their report has been heard and appropriately dealt with, and City St George's will inform the reporting party when a resolution has been reached regarding their report. The University will share with the reporting parties the details of the outcomes that are relevant for them to know. .
46. The University acknowledges the challenges of reporting sexual misconduct cases and sensitivity surrounding the information that may be disclosed. We encourage all forms of reporting.
47. Confidentiality will be maintained as far as is possible, except for in circumstances where there is considered to be a significant risk of harm to one or more individuals if sensitive information were not appropriately shared. If a member of staff feels that there is significant risk of harm, a risk assessment will be made. Agreement of relevant parties will be gained where possible.
48. The University may at times be required to provide information relating to a report or investigation to the police as part of a police investigation or criminal proceedings, and staff or students at the University may also be required to provide evidence as a witness in these proceedings. To enable this, staff should keep accurate and appropriate records in relation to investigations and should ensure the security of any records kept.

Responsibility for Policy

49. The university recognises its responsibility to ensure the safety of all parties involved in cases. We will ensure that we are mindful of the rights and welfare of all involved throughout the investigation process and ensure that all parties have the opportunity to support and a fair hearing.
50. The role of the University is to undertake an investigation into a breach of this Policy, and not to attempt to be a substitute for a police investigation or criminal proceedings. In doing so, the Investigating Officer(s), on behalf of the University, will undertake an assessment of the evidence made available in order to determine whether, on the balance of probabilities, misconduct which would be considered a breach of this Policy occurred or not.
51. The Academic Registrar is responsible for the application of the procedures associated with this Policy. The Head of Student Support and Wellbeing is responsible for risk assessments and support for students. The day-to-day management of the Student Sexual Misconduct Policy will be overseen by the Quality & Academic Development Office. The Director of HR has key responsibilities for the application of the Procedure for managing disclosures or reports involving allegations of staff sexual violence and misconduct.

Options for Support

52. Reporting persons will be offered support from a range of University staff and services. They will be able to make their own choices about the support they feel is best for them at the time or in the future.
53. In the first instance a student will be supported by a welfare officer in their School or centrally. Further detail about available support for students can be found on the [Student Hub](#). We recognise the challenges of reporting and will do everything we can to support throughout the process.
54. Support will be focussed on how the reporting person feels and their recovery. Any further steps to make a formal report internally or externally can also be explored. The following services are available for students:
 - a. Local Safeguarding and Student Welfare Officer in Schools
 - b. Designated Safeguarding Officers
 - c. The University Harassment Advisers
 - d. The University Student Health and Wellbeing Counselling, Mental Health and Accessibility Services
 - e. The University Health Centre
 - f. The University Chaplaincy
 - g. The University Student Centre
 - h. City St George's Students' Union.
55. The University will also signpost and refer students to specialist external support services where appropriate, such as one the following:
 - a. The police
 - b. Rape Crisis England & Wales
 - c. Survivors UK
 - d. A Sexual Assault Referral Centre (SARC).

Request for Review

56. Possible next steps are outlined in Regulation 13 and/or other relevant process accessed, outlined in subsection 27.

Appendix 1: Related University Processes

This Policy relates to [Senate Regulation 13: Student Discipline](#).

Other related policies include:

- Student Bullying & Harassment Policy
- Safeguarding Policy
- Hands On Policy
- Transgender, Intersex and Gender Non-Conforming People: Policy
- Professional Relationships Policy
- Fitness to Practise (Train) Policy

Other related regulations include:

- Senate Regulation 26: Student Complaints
- Senate Regulation 10: Support for Study

Student regulations and policies can be found on our [Student Regulations & Policies webpage](#).

Where a staff member is the responding party, the following policies may be relevant:

- Staff Grievance Procedure
- Staff Dismissal Procedure
- Staff Harassment and Dignity at Work Guidelines

Staff policies and procedures can be found on the [Staff Hub Policies webpage](#).

Appendix 2: Table of indicative sanctions for Student Sexual Misconduct

- The below table is intended to be read in conjunction with the Student Disciplinary Regulations.
- This is relevant to Sexual Misconduct by students only. Where a student is an employee of the University, action may also be taken against the student under relevant procedures for staff.
- This is intended to outline sanctions to be applied in relation to Sexual Misconduct by the University only. Separate sanctions may be applied by the Students' Union or other external bodies.
- The University may put in place precautionary measures in relation to a student. These measures should not be regarded as a sanction.
- In specific circumstances, such as if a person under the age of 18 is involved, or the University has concerns for the safety of members of the University community, the University may also report complaints of Sexual Misconduct to the Police. Appropriate disclosure may also be made to any professional bodies to which a student is affiliated.
- The actual sanction(s) applied in an individual case will be at the discretion of the Investigating Officer or Disciplinary/Fitness to Practise Panel, taking account of all relevant and available evidence, including the factors described in appendix 3 below.
- The range of indicative sanctions shown for each conduct example are not mutually exclusive and each sanction may be applied either individually or in combination with one or more other sanction(s).

Description of behaviour	Indicative categorisation	Indicative
1.	Unwanted and unsolicited incidents of the following, whether isolated, repeat or multiple: <ul style="list-style-type: none"> • Cat-calling (where sexual in nature) • Wolf-whistling • Suggestive looks, staring or leering which, on an objective basis, has the intention or effect of causing discomfort or distress • Making sex-based noises (e.g. sexual grunting or moaning) • Making generalised sexual gestures/remarks (spoken, visual or written), in person or via phone or digital media e.g. telling sexual jokes or stories, use of sexual innuendo, participation in discussions rating sexual appeal. 	Minor/Major <ul style="list-style-type: none"> • Written warning • Requirement to undertake education • No contact requirement • Final written warning • Requirement to apologise (<i>subject to prioritising at all times the needs and well-being of any individuals affected by the misconduct</i>).
2.	Storing, viewing or sharing sexually explicit or pornographic material on University IT equipment (except where required for legitimate research purposes approved by the University).	Minor/Major

3.	Making unwanted remarks or gestures of a sexual nature (spoken, visual or written) directed at, or concerning, a specific individual or individuals, either in person or via phone or digital media e.g. asking personal questions about sexual matters, discussing your own sex life, making sexual comments about a person's body, making remarks implying a person's sexual preferences or behaviours, spreading rumours about another person's sex life.	Minor/Major	<ul style="list-style-type: none"> • Requirement to undertake education • Final written warning • Requirement to move to a new University residence • No contact requirement • Temporary or permanent loss of eligibility for University accommodation • Temporary or permanent exclusion from specified University premises or facilities <p><i>Note: Where misconduct relates to any hard copy or digital media materials, full cooperation in any steps taken by the University to procure the permanent removal and/or destruction</i></p>
4.	Propositioning another person or making sexual advances, physical or otherwise, where there is no reasonable belief that such actions were wanted or where there is a power imbalance.	Minor/Major	
5.	Displaying sexually graphic text, pictures, posters, photos or video (physically or via digital media), or allowing such material to be seen by another person in a way which is unwanted, on University premises, in University accommodation or via University IT systems.	Minor/Major	
6.	Unwanted kissing, varying in seriousness depending on the circumstances and the part of the body kissed.	Minor/Major	
7.	Unwanted touching (excluding of intimate areas such as genitalia, breasts or buttocks), in what may reasonably be perceived to be an intentional and sexual manner (e.g. touching a person's clothes, hair or body; standing too close to a person; rubbing or brushing up against them).	Minor/Major	
8.	Arranging or participating in events which may reasonably be assumed to cause non-consensual degradation and humiliation of a sexual nature, for example inappropriately themed social events or initiations.	Minor/Major	
9.	Unwanted conduct of a sexual nature which, on a reasonable objective basis, creates an intimidating, hostile, degrading, humiliating or offensive environment for another person or persons.	Minor/Major	

10.	Active complicity in sexual misconduct by another person. Active complicity implies active promotion of the sexual misconduct e.g. actively assisting in, inciting or publicly applauding or condoning sexual misconduct, onward sharing or promotion of material referred to in 11. below which was reasonably and objectively known to have been circulated without the consent of the person pictured. Complicity does not cover inaction or failure to prevent an offence.	Minor/Major	<i>of these materials is expected to be required.</i>
11.	Distributing or exhibiting private and personal explicit images or video footage of an individual (including 'deep-fake' generated images which purport to show an individual) without their consent; and/or Image-based sexual abuse: (also known as 'revenge pornography') recording or sharing sexual or intimate photos, videos, recordings or other materials, without the consent of the person captured.	Major	<ul style="list-style-type: none"> • Requirement to undertake education • Final written warning • Requirement to move to a new University residence • No contact requirement • Temporary or permanent loss of eligibility for University accommodation • Temporary or permanent exclusion from specified University premises • Suspension • Expulsion
12.	Creating, sharing, storing or viewing illegal online, recorded or hard copy sexual content e.g. indecent images of children (on any device or in any location, whether or not linked to the University).	Major	
13.	Upskirting and/or down-blousing: filming or photographing under a person's clothes without their consent to capture images of their body or underwear, and/or Voyeurism: observing another person who is naked	Major	
14.	Inappropriately showing sexual organs to another person(s) or inappropriately allowing sexual organs to be seen by them (in person or via digital media).	Major	
15.	Unwanted touching of another person's intimate areas (genitalia, breasts, buttocks), touching another person with your own genitalia, breasts or buttocks without consent or coercing a person to non- consensually touch either their own intimate areas or those of yourself or a third party.	Major	

16.	Stalking: persistent, unwanted communication or behaviour which has the purpose or effect of frightening, intimidating or harassing someone, such as repeatedly following them.	Major	
17.	Cyberstalking: repeated and deliberate use of the internet and other electronic communication tools to engage in persistent, unwanted communication or surveillance which has the purpose or effect of frightening, intimidating or harassing someone.	Major	
18.	Intimidation, blackmail or the promise of resources or benefits which has the purpose or effect of coercing another person to engage in unwanted sexual activity.	Major	
19.	Retaliation: taking any adverse actions against another person, including, but not limited to, harassment, threats, intimidation or coercion, made in response to someone disclosing or reporting any form of Sexual Misconduct.	Major	
20.	Relationship abuse: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been, intimate partners; this may include psychological, physical, sexual, financial and/or emotional abuse.	Major	
21	Strangulation: intentional use of force against the neck of another individual to restrict breathing and blood circulation	Major	<ul style="list-style-type: none"> • Expulsion
22	Engaging, or attempting to engage, in an unwanted sexual act with another person (sexual acts are defined as including, but not limited to, cunnilingus, fellatio and masturbation). Engaging, or attempting to engage, in unwanted sexual intercourse (involving penetration of the mouth, vagina or anus with a body part or object) with another person.	Major	

Appendix 3: Factors to be considered when applying sanctions for Student Sexual Misconduct

Mitigating factors	
Culpability	Mitigation
<ul style="list-style-type: none"> • Reporting Party has voluntarily made a request for leniency. • Sexual misconduct was an isolated incident i.e. did not form part of a pattern of behaviour and is not associated with any prior incidence of sexual misconduct. • Sexual misconduct was objectively and reasonably characterised as having been committed by the student accidentally, by mistake, or without recklessness or intent. 	<ul style="list-style-type: none"> • Responding Party can provide compelling independent medical evidence to show that, at the time the sexual misconduct was committed, their health was impaired to such an extent as to significantly impact their ability to distinguish sexual misconduct from acceptable behaviour. • Responding Party admitted the sexual misconduct at the earliest opportunity. • Responding Party has taken responsibility for their actions, acknowledging the impact of the sexual misconduct on those affected and expressing sincere contrition and remorse. • Responding Party has cooperated with honesty and integrity in the disciplinary process relating to the sexual misconduct and/or in any process to make amends to the Reporting Party and others affected by the sexual misconduct.
Aggravated factors	
<p><i>Circumstances which may adversely reflect on the culpability of the Responding Party, or which make an incidence of Sexual Misconduct more serious.</i></p>	
Culpability	Mitigation
<ul style="list-style-type: none"> • Sexual misconduct involved the use of force, violence, threats or intimidation or the use of a weapon. • Sexual misconduct was planned, premeditated, or involved specific "grooming" or targeting of the Reporting Party. • Responding Party sustained sexual misconduct after consent was denied or revoked, or after being asked to stop. • Responding Party acted with others in a group to commit sexual misconduct. 	<ul style="list-style-type: none"> • Sexual misconduct had a material adverse impact on the Reporting Party, caused physical or mental injury or illness in the Reporting Party, or prevented the Reporting Party from fully accessing academic or other benefits of their University experience • The Reporting Party, or any other person affected by the sexual misconduct, was under the age of 18 at the time the sexual misconduct took place. • Sexual misconduct took place in front of others or indicated an intention by the RSP to humiliate or cause degradation to the RP,

<ul style="list-style-type: none"> • Drugs or alcohol were used to recklessly or intentionally incapacitate the Reporting Party. • Responding Party was under the influence of drugs or alcohol at the time of the Sexual Misconduct. • Sexual misconduct was apparently motivated by, or objectively demonstrated, discrimination towards others (based on protected characteristics under the Equality Act 2010). • The Reporting Party was vulnerable and, considering all relevant circumstances, the Responding Party would reasonably have been aware of this. • Sexual misconduct involved the abuse of power or a position of trust e.g. in a student society, sports team, academic support context or similar. 	<p>including by filming, publicising or boasting of the sexual misconduct</p>
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Compounding factors

Factors which may indicate that a more severe sanction may be appropriate considering all of the circumstances

A prior history of sexual misconduct and/or sexual misconduct of a similar nature (confined to prior incidences recorded by the University following due process.)

Multiple or repeated incidences of sexual misconduct against the same Reporting Party or as part of a pattern of coercive control in a current or former intimate partner relationship (forming part of the current investigative findings).

Multiple Reporting Parties (forming part of the current investigative findings).

Breaches of confidentiality relating to the complaints process.

Subject always to the University's recognition of the Responding Party's right to promptly bring forward all exculpatory evidence relevant to the sexual misconduct, the Reporting Party has not:

- co-operated with, or respected, the University's complaints, investigation and disciplinary process, including but not limited to:
 - attempting to prevent reporting to the University
 - destroying evidence
 - introducing false or misleading evidence
 - intimidating witnesses.
- admitted, at an early stage, sexual misconduct for which it is subsequently shown that the Responding Party was more likely than not responsible demonstrated appropriate insight and/or remorse.

Policy Title	
Sexual Misconduct Policy	
Policy Enabling Owner and Department	Responsible for Implementation and Department
Academic Services	Quality and Academic Development
Approving Body	Date of Approval
Senate	October 2020
Last Reviewed & Version	Review Due Date
July 2025, Version 1.3	July 2026
Publication of Policy (<i>tick as appropriate</i>)	
For public access online (internet)? <input checked="" type="checkbox"/>	For staff access only (intranet)? <input type="checkbox"/>
Website Link: https://www.citystgeorges.ac.uk/about/governance/policies/student-policies-and-regulations	Intranet Link: https://staffhub.citystgeorges.ac.uk/academic-services/policies-and-guidance/quality-manual/student-support
Storage of Policy (<i>Previous versions of the policy must be stored in the drive by the author</i>)	
Drive Address: reg-dev\QUAD\Quality Manual	
Queries about this policy should be referred to	
ace@citystgeorges.ac.uk	