

# Harassment, Bullying and Sexual Misconduct Policy

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## 1. Purpose of this Policy

Kaplan Higher Education UK (KHE) is a large online community including students, staff and contractors from around the world and we are committed to fostering a safe, inclusive and supportive environment that is free from harassment, bullying and sexual misconduct.

The purpose of this policy is to raise awareness and understanding of the meaning of harassment, bullying and sexual misconduct and to provide information about how KHE will support affected members of our online community in order that these matters can be dealt with sensitively and efficiently.

KHE will not tolerate harassment, bullying or sexual misconduct of any kind.

## 2. Scope of this Policy

### Who the Policy Applies to and Covered Contexts

This policy applies to students, staff and contractors and covers harassment, bullying and sexual misconduct that:

- take place within the online learning space provided by KHE, between staff, contractors and students, including, but not limited to behaviours which are digital, verbal or non-verbal, including the sending of messages across any medium.
- Occur within in-person interactions between students, staff and contractors at our Leeds premises and in-person graduation events.
- is committed on or by students, staff, contractors, anyone else otherwise engaged to work for or with KHE and any KHE job applicants at any stage of the employment relationship (the KHE Community).

## **Reporting and Investigation Framework**

This Policy provides an overarching framework regarding:

- how allegations of harassment, bullying and sexual misconduct can be reported and investigated; and
- how outcomes of investigations will be reached and communicated to the persons directly involved in the report and beyond, where necessary.

## **Individualised Approach to Case Handling**

Whilst this Policy aims to be as wide-ranging as possible, it is acknowledged that the circumstances of each report of harassment, bullying and sexual misconduct will be different and as a result, it is impossible to address every instance and possible outcome in this one Policy. Every report of harassment, bullying and sexual misconduct will, therefore, be treated and investigated independently in accordance with the individual circumstances of that report.

## **Protection Against Victimisation**

Victimisation is also covered by this Policy. Victimisation is subjecting a person to a detriment because they have in good faith made a complaint of harassment, bullying and sexual misconduct (which may either be for themselves or on behalf of someone else). Provided that an individual acts in good faith (i.e. they genuinely believe that the allegation is true and accurate), they have a right not to be victimised for making a complaint of harassment, bullying or sexual misconduct. KHE will take appropriate action to deal with any alleged victimisation. Making an allegation that is known to be untrue or giving evidence that is known to be untrue may lead to disciplinary action being taken against the complainant.

## **Kaplan Staff**

This Policy is applicable to all Kaplan Higher Education UK staff. Please note that there are additional staff-specific, Kaplan group policies concerning harassment and sexual misconduct including the Anti-Bullying and Harassment Policy and our Staff and Student Relationship Policy. For avoidance of doubt, romantic relationships between relevant staff members and students are strictly prohibited. In this context and with reference to the definition stated in the Office for Students' Condition E6, "relevant staff member" means: a member of staff who had direct academic/operational responsibilities, or other direct professional responsibilities, in relation to that student.

We recommend reading the staff-facing policies alongside this Policy.

All of our policies are aligned, so there should be any conflicting information, but this Policy (the Policy that you are currently reading) is the most comprehensive source of information concerning sexual harassment and misconduct.

## **3. The Definitions of Harassment, Bullying and Sexual Misconduct**

### **Harassment**

Harassment has the meaning given in section 26 of the Equality Act 2010 and section 1 of the Protection from Harassment Act (PHA) 1997 (in its entirety, and as interpreted by section 7 of the Act). The definitions contained in the legislation have been summarised below.

Harassment, including sexual harassment, may be unwanted behaviour or conduct related to relevant protected characteristics, which are:

- a) Age

- b) Disability
- c) Gender reassignment
- d) Marriage and civil partnership
- e) Pregnancy and maternity
- f) Race; religion or belief
- g) Gender and sexual orientation

that:

- Has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; and/or
- Is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

Harassment does not always have to be behaviour or conduct related to protected characteristics. It can also be a course of conduct:

- conducted on at least two occasions that harasses one other person.
- that harasses two or more persons at least once each.

References to harassing a person include alarming the person or causing the person distress.

Conduct may be harassment whether or not the person behaving in that way intends to offend as different people find different things acceptable. Behaviour which any reasonable person would realise would be likely to offend will be harassment without the victim having to make it clear in advance that behaviour of that type is not

acceptable to them, for example, physical contact of a sexual nature or sharing images of a sexual nature.

## **Sexual Misconduct**

Sexual misconduct means any unwanted or attempted unwanted conduct of a sexual nature and includes, but is not limited to:

- Sexual harassment
- Sexual assault
- Rape

Should any member of the KHE Community experience harassment or sexual misconduct, this will be dealt with through the relevant Staff Disciplinary, Contractor Performance or Student Code of Conduct procedure.

## **Bullying**

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure the recipient physically and/or emotionally.

Bullying can include physical, verbal, or non-verbal conduct and is not necessarily carried out in-person. Bullying can also be carried out via email, phone calls or online, via social media or any other digital medium (this is known as cyber-bullying).

KHE takes all forms of bullying very seriously, regardless of how it is inflicted.

Harassment, bullying or sexual misconduct will be considered a serious disciplinary offence, which may lead to permanent exclusion or dismissal. Serious harassment or sexual misconduct may also amount to other civil or criminal offences.

## **The Impact of Harassment, Bullying and Sexual Misconduct**

Harassment, bullying and sexual misconduct have profound and lasting effects on individuals and the community. Such behaviours can lead to:

Emotional distress and psychological harm, including anxiety, depression, and decreased self-esteem.

Disruption of the learning environment, negatively impacting academic performance and engagement.

Erosion of trust and respect amongst KHE Community members, undermining the institution's commitment to inclusivity.

Increased absenteeism and dropout rates, as victims may feel unsafe or unwelcome; and/or

Legal repercussions for both individuals and KHE.

## **4. Examples of Harassment, Bullying and Sexual Misconduct**

Below is a non-exhaustive list of behaviours that may be reported and investigated under this procedure. Please note that in an effort to raise awareness of the prevalence of such behaviours, we have also chosen to include, stalking and image-based sexual abuse. The conduct covered by those behaviours will often be considered harassment and/or sexual misconduct.

### **Harassment**

Offensive comments or jokes related to race, gender, sexual orientation, religion, age, disability, or any protected characteristic.

Displaying or distributing offensive or inappropriate material, whether digital or physical, that creates a hostile environment.

Physical intimidation or unwelcome physical contact.

Repeated, unwanted advances or communication that continues after being asked to stop.

Using one's position of power to coerce, intimidate, or mistreat others.

## **Bullying**

Repeated, deliberate insults, threats, or malicious behaviour intended to demean or undermine an individual.

Spreading rumours or personal information with the intent of causing harm.

Isolating or excluding someone socially in a way that negatively impacts their wellbeing or work.

Overbearing supervision or constant, unreasonable criticism aimed at humiliation.

Cyberbullying through emails, social media, or other digital platforms designed to cause harm.

## **Sexual Misconduct**

Unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature.

Sharing or displaying sexually explicit material without consent.

Sexual coercion, including any attempt to pressure someone into sexual activity.

Any form of sexual assault, including unwanted physical contact or engaging in sexual activities without clear and enthusiastic consent.

Using position, power, or influence to solicit sexual favours.

## **Stalking**

Persistent and unwanted surveillance, following, or communication that causes fear or distress.

Monitoring a person's online activity, showing up at their home or workplace uninvited, or repeatedly sending unsolicited messages.

Using tracking devices or third parties to obtain information about a person's location or activities.

## **Image-Based Sexual Abuse**

Sharing or threatening to share intimate or sexually explicit images or videos of another person without their consent.

Creating or distributing digitally altered content that depicts someone in a sexualised manner without their permission.

Using images to blackmail, humiliate, or coerce an individual.

## **5. How to Report an Incident of Harassment, Bullying or Sexual Misconduct?**

As an initial step, and where it is possible and the complainant feels safe enough to do so, they should attempt to resolve the matter informally. The individual responsible for the behaviour may be unaware that their actions are unwelcome or upsetting. The complainant may feel able to approach the individual directly, either on their own or, if

they are a student, with support from a member of their student support team. If the complainant is a member of staff or a contractor, they may wish to seek the assistance of a colleague.

The complainant should clearly communicate which behaviours are considered offensive and unwelcome, and request that they stop immediately. It may also be appropriate to indicate that, should the behaviour continue, a formal complaint will be made. It is advisable to keep a written record of the date and details of what was said and done, as this may be useful if the matter escalates, and a formal complaint becomes necessary.

If an informal approach does not resolve matters, or the complainant feels uncomfortable trying to resolve the matter informally, or the complainant believes the situation is too serious to be dealt with informally, they should report their concerns formally as detailed below.

## **Reporting Incidents of Harassment, Bullying or Sexual Misconduct.**

KHE takes all reports of harassment, bullying and sexual misconduct seriously and provide multiple avenues for the reporting of such incidents. Anyone who has experienced or witnessed harassment, bullying or sexual misconduct is encouraged to report the matter as soon as possible, in any of the following ways. Please note that depending on the complainant's role within the KHE Community, certain options may not be available to them. The information below provides clarity regarding what method of reporting may be best dependent on the role of the complainant:

### **Online reporting**

KHE offers a secure, confidential online reporting form where students can submit any details about incidents of harassment, bullying or sexual misconduct. The form can be

accessed through the KHE Learning Platform or by contacting the Student Support team. The form can be completed at any time, ensuring convenience and accessibility.

## **Virtual Meetings**

Students may wish to report via a virtual meeting using the Teams platform.

## **Email or Microsoft Teams reporting**

Students and staff members may choose to report incidents of harassment, bullying, or sexual misconduct by sending an email or, where access is available, a Microsoft Teams message to a member of KHE staff. It is essential that KHE staff are contacted only via their official Kaplan email address or Teams account.

Including a clear and specific subject line is recommended, as this assists the recipient in prioritising and managing the report appropriately. It should be noted that messages sent outside of normal working hours may not be read or responded to until the next working day.

## **KHE Intranet**

KHE staff members may choose to report incidents of harassment, bullying or sexual misconduct through the Safeguarding and Prevent page of the KHE Intranet.

## **An anonymous report**

KHE recognises that reports of harassment, bullying and/or sexual misconduct may be submitted anonymously. Such reports are welcomed and encouraged. KHE will make every effort to investigate anonymous reports as thoroughly as possible. However, it

should be noted that anonymity may limit the institution's ability to fully investigate the matter or take appropriate action.

Complainants are encouraged, where possible, to include contact information so that they can be kept informed about the progress of the investigation. All reports will be managed with sensitivity and discretion. Regardless of the method of reporting, KHE is committed to ensuring that welfare support and advice are made available to those affected.

Anonymous reporting is available to any member of the KHE community.

### **Third-party reporting**

In some cases, students may prefer to have a trusted third party report the incident on their behalf. The third party should have the written consent of the individual reporting the incident to ensure privacy and accuracy.

It is important to recognise that any individual who reports or is accused of harassment, bullying, or sexual misconduct has the right to seek and obtain legal representation at any stage of the process, should they consider it necessary.

Staff members at KHE are also entitled to be accompanied during any disciplinary meetings or proceedings by a work colleague or a trade union representative of their choice.

### **Historical Reports of Harassment, Bullying and Sexual Misconduct**

KHE acknowledges that reports may be received concerning incidents of harassment, bullying or sexual misconduct that occurred in the past. Individuals are encouraged to come forward with such reports, and KHE will investigate them as thoroughly as possible.

It should be noted, however, that, as with anonymous reports, the ability to conduct a full investigation into historic incidents may be limited compared to more recent cases. Nonetheless, KHE remains committed to ensuring that welfare support and advice are made available to all individuals who report such incidents, irrespective of when they occurred.

## **Reporting Incidents Occurring Outside of UK**

KHE's staff, contractors and students are based in different countries and regions around the world, as a result, KHE recognises that it may receive reports or disclosures of harassment, bullying or sexual misconduct that have taken place outside of the UK. Such disclosures are welcomed and encouraged.

However, KHE's ability to investigate these incidents may be limited by jurisdictional and legal constraints. In these cases, individuals will be asked whether they wish to report the incident to the relevant authorities in their home country or the country in which they reside. If the individual chooses to do so, KHE will provide appropriate support throughout the reporting process.

Should the individual decide not to report the incident to local authorities, KHE will ensure that welfare support and advice are made available.

## **Reporting to the Police and External Authorities**

Kaplan Higher Education UK (KHE) recognises that individuals who report concerns of harassment, bullying or sexual misconduct to the institution may also wish to report the matter to the police. Making a report to KHE does not preclude the individual from contacting law enforcement. While KHE is not able to make police reports on an individual's behalf, except in cases where there is a concern that they or others may be

at risk of further harm, support will be provided to assist anyone who chooses to pursue this route.

Where an individual chooses to report to both KHE and the police, it is important to note the following:

KHE is not required to wait for the outcome of a police investigation before taking action on the report made to the institution.

KHE is not bound by the findings of a police investigation or court proceedings. While charges or convictions may inform KHE's process, the institution conducts its own investigation and reaches its own conclusions. Likewise, a decision not to charge or a verdict of not guilty will not determine the outcome of KHE's internal processes.

For those considering reporting sexual misconduct to the police, KHE recommends referring to guidance published by Rape Crisis England & Wales, a UK charity dedicated to ending sexual violence and supporting survivors. This resource may offer helpful information when deciding whether to proceed with a report.

Additionally, individuals may submit anonymous reports in the UK to Crimestoppers by calling 0800 555 111 or by using their online form. Crimestoppers is an independent organisation and not part of the police. However, any information shared anonymously will be forwarded to the relevant authorities responsible for investigating crimes, making arrests, and pursuing prosecutions.

## **6. What Happens When a Report Is Made?**

KHE recognises that it has a duty to investigate suspected cases of harassment, bullying and sexual misconduct against any member of the KHE Community. If a concern is reported to a member of KHE staff in the course of their normal duties, this will be escalated in accordance with company policy. This may involve the disclosure of a report

to another member of staff who has received specialist training (where the staff member to whom the initial report was made has not received such training).

KHE will treat complaints of harassment, bullying and sexual misconduct sensitively and maintain confidentiality to the maximum extent possible. Investigations of allegations will require limited disclosure on a “need-to-know” basis only.

If a formal report is made, a number of “parties directly affected” by an investigation and outcome will be established, namely:

The complainant. The complainant is the person that alleges or has experienced incidents of harassment, bullying or sexual misconduct.

The actual or alleged perpetrator. The actual or alleged perpetrator is the person who is accused of having committed the act(s) of harassment, bullying or sexual misconduct.

Any witnesses. Witnesses are those who have been in the presence of and/or witnessed the incidents of harassment, bullying or sexual misconduct which may be the subject(s) of the allegation, or otherwise connected to the allegation.

## **The Investigatory Process**

We are committed to ensuring that all investigatory and disciplinary processes related to harassment, bullying and sexual misconduct are conducted fairly, transparently, and without any reasonable perception of bias. In order to do this, we uphold the following principles:

**Independence and Impartiality:** All cases will be handled by trained KHE staff who have no personal, academic, or professional conflicts of interest with the parties involved. Investigators and decision-makers will also be separated.

**Objective Decision-Making:** Investigations and disciplinary decisions will be based on evidence, following due process and the relevant policies, for example, the Student Code of Conduct Policy and Procedure.

**Right to a Fair Process:** All parties involved will have an equal opportunity to present their accounts, submit evidence, challenge evidence if they wish, and respond to findings.

**Review and Appeals:** If you are unhappy with the outcome of the investigation, including where you believe that bias may have affected the investigatory process, you may raise concerns via the appropriate appeal procedures.

By upholding these principles, we can ensure that all proceedings are conducted with fairness, integrity, and respect for all individuals involved.

## **Communication Regarding the Investigation**

Both the complainant and the actual or alleged perpetrator will be informed of the progress of any investigation and our final decision and resolution. If necessary, whilst the investigation is ongoing, Kaplan will use all reasonable endeavours to minimise or cease contact or close proximity between the complainant and the actual or alleged perpetrator.

We ensure fairness and transparency in communicating progress and decisions, as outlined below:

**Ongoing communication:** The complainant and actual or alleged perpetrator will be updated on the status of an investigation at its key stages, including the initial acknowledgment of the report, any receipt of evidence and the final decision(s). The complainant will also be informed of actions taken in response to their report.

**Decision notification:** After an investigation or resolution process has been concluded, both the complainant and the actual or alleged perpetrator will receive a formal written statement of the decision and outcome, including whether any disciplinary or corrective actions have been taken, and the reasons for the decision. The statement will also outline any actions or remedies provided to the complainant, in line the relevant staff disciplinary or Student Code of Conduct policy.

## **7. What Happens if I am Accused of Harassment, Bullying or Sexual Misconduct?**

If an individual is informally approached regarding their behaviour, they should not dismiss the concern simply because they were joking or because they believe the other party is being overly sensitive. Offence may have been caused unintentionally. In such cases, the matter may be resolved with an explanation, a sincere apology, and a commitment to avoid similar behaviour in the future.

Should a formal complaint be submitted concerning an individual's behaviour, a full investigation will be conducted in accordance with "The investigatory process" outlined in section 6. KHE may initiate disciplinary proceedings where appropriate. If the individual is a KHE student, the Student Code of Conduct will apply. For staff or contractors, the relevant performance or disciplinary procedures will be followed, and the individual will retain the rights granted by those procedures.

Where necessary during an investigation, KHE will take reasonable steps to minimise or eliminate contact between the complainant and the individual in question. This may include temporary suspension. Any such interim measures may be appealed through the appropriate appeals procedure.

The relevant policies and procedures that may be adopted following an allegation are available below.

- Student Code of Conduct Policy
- KI Anti-Bullying and Harassment Policy
- Disciplinary Policy
- Relationships Between Staff and Students Policy

It is also important to understand that if you are a student, you are entitled to seek and secure legal representation at any stage, should you feel you need it. If you are a member of KHE staff, you have the right to be accompanied at any disciplinary meetings or proceedings by a work colleague or trade union official of your choice.

## **The Outcome of an Investigation or Appeal**

The parties directly affected by the original investigation (the complainant, the actual or alleged perpetrator and the witnesses) will be informed once a decision regarding the investigation has been reached. Where strictly necessary, KHE may also be required to share the outcome of the investigation with interested parties, including (but not limited to):

A line manager (where one or more of the parties directly affected is a KHE member of staff or external contractor)

### **If the complaint is upheld:**

- If a student is found to have committed the acts of which they are accused, they may be suspended or withdrawn from their programme.
- If a member of staff is found to have committed the acts of which they are accused, they may be dismissed on the grounds of gross misconduct.
- If a contractor is found to have committed the acts of which they are accused, their contract with Kaplan Higher Education UK (KHE) may be terminated, and no further contract work will be offered.

**If the complaint is not upheld:** all parties directly affected will receive support to help resume or repair relationships if they wish to do so. If necessary, KHE will continue to use all reasonable endeavours to minimise or cease contact or close proximity between the alleged perpetrator and the complainant.

If either the complainant or the actual or alleged perpetrator is dissatisfied with the outcome of the process, they may submit an appeal in accordance with the relevant appeals procedure.

## **Criminal or Civil Proceedings**

Some types of harassment, bullying or sexual misconduct may constitute unlawful behaviour and allegations may give rise to the possibility of other civil claims or criminal proceedings against the actual or alleged perpetrator. Such proceedings would occur independently of KHE's internal investigations and disciplinary process. Any decision reached by KHE as part of an internal investigation does not constitute a legal ruling regarding whether criminal activity has taken place. Similarly, in our internal investigations, we are not bound by any decision reached in external proceedings, legal or otherwise.

Please be aware that the outcome of KHE's internal investigation and any subsequent appeal will be based on the balance of probabilities. This means we ask:

Does the evidence presented suggest that it is more likely than not that the actual or alleged perpetrator committed the act of harassment, bullying or sexual misconduct?

This is different from criminal investigations where the burden of proof is higher. In criminal proceedings, the question is:

Does the evidence presented suggest it is beyond all reasonable doubt that the actual or alleged perpetrator committed the act of harassment, bullying or sexual misconduct?

## 8. How We Will Handle Personal Data When a Report of Harassment, Bullying or Sexual Misconduct is Received

When a member of the KHE Community makes an allegation of harassment, bullying or sexual misconduct, KHE is committed to handling their personal data with the utmost respect, confidentiality, and in full compliance with data protection laws.

**Confidentiality and Privacy:** Information related to the allegation will be kept confidential and only shared on a strictly need-to-know basis with trained KHE staff handling the investigation and support processes. Any recipients of information related to any allegation(s) will also treat the information received as confidential.

**Data Security:** All records and information gathered will be securely stored in restricted-access systems, accessible only by the members of KHE staff who are investigating the allegation(s). Measures are in place to protect data from unauthorised access, misuse, or loss.

**Data Sharing:** Other than as detailed above, KHE Community data will only be shared with external parties if required by law (e.g., in cases of safeguarding or reporting obligations), where KHE has a serious concern about the welfare of any of the parties involved or with explicit consent from the person or persons involved.

**Retention and Disposal:** Personal data will be retained only as long as necessary for the following activities to be completed:

- Completion of the investigation.
- To carry out any follow-up actions.
- To keep a record of the allegation(s), the subsequent investigation and any findings regarding the student, staff member or contractor; and/or

- To comply with legal obligations.

Following this, data will be securely deleted.

KHE is committed to protecting privacy throughout the reporting, investigation, and resolution process, ensuring care, transparency and respect for all individuals involved. All steps will be taken to ensure that information is handled sensitively, confidentially and fairly.

## 9. The Steps KHE is Taking to Protect the KHE Online Community from Harassment, Bullying and Sexual Misconduct

KHE is committed to protecting our online community from harassment, bullying and sexual misconduct. In order to do this, we are:

**Promoting awareness.** Conducting regular training and educational programs for staff and students on acceptable behaviour, consent, and the reporting of incidents.

**Providing support.** Offering confidential support and guidance to anyone affected by harassment, bullying or sexual misconduct.

**Implementing fair procedures.** KHE ensures that all complaints are addressed promptly, fairly and confidentially following a transparent and impartial process.

**Ensuring accountability.** KHE takes disciplinary action, including suspension, expulsion or termination where appropriate.

**Monitoring workplace culture.** KHE monitors its workplace culture by regularly carrying out anonymous surveys, performing exit interviews, holding one-to-one meetings between line managers and employees.

## **10. How Students, Staff and Contractors will Receive Appropriate Information and Training Related to Incidents of Harassment, Bullying and Sexual Misconduct**

### **Staff and contractor training**

In compliance with the Office for Students' Condition E6, KHE requires staff based in the UK who are likely to be involved in receiving disclosures about incidents of harassment, bullying or sexual misconduct, undertaking investigations and making decisions about disciplinary cases to complete regular training on recognising, preventing, and responding to harassment, and sexual misconduct. As an organisation, we conduct introductory, standard and enhanced training.

Training is conducted during inductions with new hires and annually thereafter. Training will also be given as needed to reflect policy updates, ensuring all staff and contractors are fully prepared to contribute to a safe and supportive online community.

Because our provision is 100% online, training is delivered through online study modules. Staff and contractors can access this Policy via the University of Essex Online website. We also encourage staff to undertake further training with external training bodies wherever relevant and available (provided Line Manager permission has been granted).

Standard training is given to all Kaplan staff and contractors in regular contact with students and is mandatory for such staff.

Enhanced training is given to all Kaplan staff who have more responsibility for student welfare and safeguarding; or directly investigate such cases. Both the standard and enhanced training is mandatory for such staff.

We commit to ensuring that recognition and awareness training will enable relevant staff and contractors to:

- understand what behaviours amount to harassment, bullying and sexual misconduct.
- understand the nature of harassment, bullying and sexual misconduct, including how these behaviours impact the online community and learning environment.
- are educated on the content of this Policy and any procedures related to harassment, bullying and sexual misconduct and their practical application.
- understand the specific requirements of Condition E6 and how these have been implemented into this Policy and related procedures and practices.

We commit to ensuring that response and reporting training will enable staff and contractors to:

- know KHE's procedures for addressing complaints and reports, including how to support students in reporting incidents safely and confidently.
- understand where they are likely to be involved in receiving disclosures, investigating, or making decisions:
- appropriately support students who wish to make or have made allegations or complaints or have alleged or experienced harassment, bullying or sexual misconduct.
- support students who are the actual or alleged perpetrators of harassment, bullying or sexual misconduct.
- collect information sensitively and treat it with appropriate confidentiality in accordance with data protection legislation.

We commit to ensuring that prevention training will enable staff and contractors to:

- recognise behaviour which may constitute harassment, bullying or sexual misconduct.
- understand appropriate professional boundaries in their relationships with students.

We commit to ensuring that investigation training will enable staff to:

- conduct investigations into allegations of harassment, bullying and sexual misconduct and make decisions which are credible, fair and otherwise reflect established principles of natural justice in practice.
- handle evidence and maintain confidentiality.

We commit to ensuring that training on legal and ethical responsibilities will enable staff and contractors to:

- understand their responsibilities under legal frameworks and KHE policies to uphold a safe, respectful, and inclusive environment. This includes an understanding of this Policy, also known as the “single comprehensive source of information” under the Office for Students’ Condition E6.
- understand the free speech principles.

## **Student training**

In line with the Office for Students’ Condition E6, KHE requires students to complete training on harassment, bullying and sexual misconduct to ensure a safe, respectful, and inclusive college environment. This training provides students with:

**Awareness and prevention:** Understanding the forms and impacts of harassment, bullying and sexual misconduct, including how to identify behaviours that may amount to harassment, bullying and sexual misconduct, how to prevent these behaviours and how to foster respectful interactions.

**An understanding of consent and how to establish boundaries:** Clear guidance on consent, personal boundaries, and respectful communication in all interactions.

**How to report and seek support:** Information on how to safely report incidents, seek support, and understand KHE response procedures.

This training is included in the induction and is mandatory for all new students, although students who have good reasons for not participating, for example, a student who has previously experienced harassment or sexual misconduct may be exempted. Students are given access to this Policy when they register.

This Policy also forms part of the training that students receive during their induction. This Policy and any associated policies are available in the Learning Platform

## **How the KHE Community will be supported**

We are committed to providing support to any member of the KHE Online Community affected by harassment, bullying or sexual misconduct.

### **Support services for students include:**

- **Academic and attendance adjustments:** We may be able to make flexible adjustments to academic responsibilities, schedules, to ensure student welfare and well-being, and to maintain respectful online learning spaces for all parties.
- **Signposting:** our students are geographically dispersed across the globe, therefore support services will include referral to external agencies who may be able to offer support.

### **Support services for staff include:**

- **Human resources:** Our human resources team (HR) are trained advisors and can provide information on KHE procedures and the rights and responsibilities of all parties involved in or affected by incidents of harassment, bullying or sexual misconduct.
- **Role adjustments:** We may be able to make flexible adjustments to working responsibilities, schedule, or working arrangements to ensure safety and well-being.
- **Medical and legal referrals:** We have specially trained staff who can provide referrals to Occupational Health professionals on request, to help staff affected access specialised advice. We can also provide referrals to trained counsellors, medical services or legal assistance, depending on the support needed.
- **Employee Assistance Programme (EAP):** All Kaplan staff have access to the EAP via this link: <https://wisdom.healthassured.org/> . This provides access to the EAP Wellbeing Portal, and details regarding 24hr phone line support.

#### **Support for Contractors include:**

- **Role adjustments:** We may be able to make flexible adjustments to working responsibilities, schedule, or working arrangements to ensure safety and well-being.
- **Signposting:** our contractors are geographically dispersed across the globe, therefore support services will include referral to external agencies who may be able to offer support.

These support services are designed to ensure that all members of our online Community are treated fairly, with dignity and respect, and have access to the resources they need during this process.

## 11. Respect, Safety, Inclusivity and Cultural Sensitivity

A culture of respect, safety, and inclusivity is everyone's responsibility. Below are examples of how the KHE Community can work together to create and maintain an environment free from harassment, bullying and sexual misconduct:

**Model respectful behaviour:** Demonstrate respectful communication, active listening, and positive interactions in all online settings, during attendance at our central Leeds Office and in-person events such as graduation.

**Practice Active Bystander Intervention:** Individuals are encouraged to practise active bystander intervention. When witnessing harassment, bullying or sexual misconduct, or other inappropriate behaviour, they should, where it is safe to do so, offer support to those affected, redirect the situation, or report the incident to an appropriate authority or responsible party.

**Engage in mandatory training:** Actively participate in any mandatory training that is available.

**Encourage open dialogue:** Promote open and respectful discussions about boundaries, consent, and inclusion, creating an environment where everyone feels comfortable voicing concerns and offering feedback.

**Support peer reporting:** Encourage members of the online community to report incidents or concerns without fear of retaliation, reinforcing that KHE takes all reports seriously and handles them with confidentiality and respect.

**Respect privacy and confidentiality:** Avoid sharing personal information or rumours about individuals involved in reports of misconduct and respect the confidentiality of all reporting and resolution processes.

**Speak up:** If an individual experiences or witnesses’ harassment, bullying, or sexual misconduct, they are encouraged to speak up without delay and to seek appropriate support.

**Be aware of cultural differences:** Have open dialogue and discussions about cultural perspectives while ensuring that no behaviour that constitutes harassment, bullying or sexual misconduct is excused on the basis of cultural norms.

By practising these behaviours, our community can foster a safe, supportive environment where everyone feels valued and protected.

## 12. Other relevant policies

This Policy should be used in conjunction with the following policies for more detailed information:

- Whistleblowing Policy
- Acceptable Use Policy
- Use of the Virtual Learning Environment and Social Media Policy
- Staff and Student Relationship Policy
- Student Code of Conduct Policy
- Staff Disciplinary Policy
- Safeguarding Policy

Responsible Manager	Title	Date Approved	Related Policies
Carol Dadd	Director of Quality and Compliance	March 2026	<ul style="list-style-type: none"> <li>• Whistleblowing Policy</li> <li>• Acceptable Use Policy</li> <li>• Use of the Virtual Learning Environment and Social Media Policy</li> <li>• Staff and Student Relationship Policy</li> </ul>

			<ul style="list-style-type: none"><li>• Student Code of Conduct Policy</li><li>• Staff Disciplinary Policy</li><li>• Safeguarding Policy</li><li>• Anti-Bullying and Harassment Policy</li></ul>
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