

# Prevention of Bullying, Harassment and Sexual Misconduct

## Student Procedure

King's is committed to maintaining a working, learning, living and social environment that is free from any harassment in whatever form that may take and ensuring that all staff and students are treated and treat others with dignity and respect.

King's commitment to the prevention of bullying, harassment and sexual misconduct is outlined on our webpage: [Preventing and addressing bullying, harassment and sexual misconduct | King's College London](#).

King's vision and values are outlined in our [Community Charter](#).

Harassment, bullying behaviour or sexual misconduct of any kind is unacceptable.

All members of the University community have a responsibility for helping to ensure that individuals do not suffer any form of harassment and that they are encouraged and supported in any legitimate complaint.

King's trusts that members of its community will initiate complaints that are made in good faith. Any complaints which are unfounded and/or untrue will be investigated under the appropriate disciplinary procedure.

## Application

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This procedure outlines the informal and formal processes and procedures available to students who feel they may be subject to any forms of harassment, bullying or sexual misconduct at King's. This procedure also outlines what to expect if you a complaint is brought against you.

Procedures relating to bullying, harassment and/or sexual misconduct may not be applicable where the allegations are of behaviours that may attract criminal sanction. This would include, but not be limited to, cases of serious assault or threat of assault. In cases such as these, King's procedures may be paused whilst criminal investigations are ongoing.

## Definitions

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Disclosure involves an individual choosing to tell anyone who is part of the university community about their experience of bullying, harassment and/or sexual misconduct.

**Report** is sharing the information with a staff member of the university regarding an incident of harassment or sexual misconduct. The individual is initiating the process by completing a report and support or a Stage 2 Complaint.

**Reporting Party** is the person(s) who has been the subject of the alleged incident of harassment or sexual misconduct.

**Reported Party** is the person(s) whose behaviour it is alleged amounted to an incident of harassment or sexual misconduct.

## Reporting Process

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If you have experienced bullying, harassment and/or sexual misconduct, King's is committed to ensuring that you have the support that you need and to supporting you in remedying these challenges.

Please do refer to the support section of this procedure to ensure you have access to the multiple support avenues available at King's and externally.

Once you have accessed the appropriate support, you may wish to inform King's of the challenges you have experienced, you can choose to inform King's anonymously or as a named party.

### Informing King's anonymously

- **[Report and Support](#)**: Students can report incidents of bullying, harassment and/or sexual misconduct anonymously through Report and Support.

### Informing King's as a named party

- **[Report and Support](#)**: Students can also choose to submit a report through Report and Support as a named party. When King's receives a named report about a student, this is triaged by colleagues within Student Support and Wellbeing Services (SSWS) who will reach out to you to offer further support and guidance. If your report relates to the actions of a staff member, you may be contacted by a colleague from Human Resources (HR) as well. If it is necessary for you to speak with HR, this will be explained to you in your supportive conversations with SSWS.
- **[Stage 2 Complaint](#)**: Report and Support is the primary way to notify King's of your experience of bullying, harassment and/or sexual misconduct. However, you can choose to inform King's via completing a Stage 2 Complaint as well/instead of using Report and Support.
- **Informing a member of staff directly**: If you share your experience with a member of staff, for example your Personal Tutor, they will inform you how to complete a Report and Support or Stage 2 Complaint. If what you share with the member of staff demonstrates that you are currently at risk, the member of staff may complete a [Student of Concern form](#) on your behalf or seek guidance from [King's Safeguarding Policy](#).

If you are reporting alleged bullying, harassment or sexual misconduct of a King's staff member, the staff member will be supported through the [Prevention of Bullying, Harassment and Sexual Misconduct: Staff Procedure](#).

If you are reporting alleged bullying, harassment or sexual misconduct of a King's student the following processes apply.

## **What happens when you make an anonymous report through Report and Support?**

All reports are reviewed by specialist colleagues and assessed for risk.

When you make an anonymous report, King's will not be able to contact you and offer further support or information regarding your report.

If once you've made an anonymous report you would like to change your mind and make a named report, you can do so by submitting a new named report. You are not limited in the number of times you can make a report through Report and Support.

For more information, please read our support article: [How does anonymous reporting work?](#)

## **What happens when you make a named report?**

However you make your named report (through Report and Support or a Stage 2 Complaint) you have the 2 routes that could be appropriate for you to pursue.

In conversation with Student Support and Wellbeing Services, you will determine which route is most appropriate for your situation.

1. Informal resolution, including mediation and facilitated conversations
2. Investigation and resolution, through the [Non-Academic Misconduct Policy and Procedure](#)

While these are presented in order of formality, one step need not be completed before moving to the next. In many cases, a resolution will be sought informally however some circumstances may mean that a formal investigation is warranted due to the nature of the complaint. For instance, there will be some cases where early intervention is not appropriate or where a complainant may not feel safe or comfortable in engaging in such steps.

## **Resolution and Investigation**

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### **Informal resolution**

Informal resolution is not obligatory and will not always be appropriate, but it can lead to a resolution where an honest and constructive conversation is possible.

Such conversations may enable the person who experienced the bullying or harassment to explain how and why something was hurtful and enable the alleged bully or harasser to understand the consequences of their actions.

If you are unsure of whether you should approach the situation in this way, please seek support from one of [King's support services](#). At no time should you feel obliged to approach an alleged harasser.

### **What happens in informal resolutions?**

Informal resolutions will usually take the form of a conversation between the reporting party and the reported party.

### **Investigation**

If informal action does not succeed in resolving the situation or would not be appropriate given the nature of the complaint, the Reporting Party in conversation with Student Conduct and Appeals can

assess whether a formal investigation is appropriate under the [Non-Academic Misconduct Policy and Procedure](#).

The purpose of a formal investigation is to establish the relevant factual evidence in connection with the allegation(s) made by the Reporting Party.

## **What happens in an investigation?**

The purpose of an investigation is to establish the relevant factual evidence in connection with the allegation(s) made by the Reporting Party. An investigation will usually involve the following:

- In some cases, King's may take safeguarding steps to ensure the fairness of an investigation, and to ensure the safety of all members of the King's community. This may include, but is not limited to:
  - No Contact Orders.
  - No Contact Agreements.
  - Establishing single points of contact.
  - Restricting access to an individual/s King's IT account.
  - Suspensions and Exclusions as set out in Chapter 8 of the Academic Regulations, which may include exclusions from King's Residences or removal of a student from placement under Chapter 8 of the Academic regulations.
- Once the case has been reviewed by Student Conduct and Appeals, they will conduct a preliminary investigation and decide whether the case will be taken forward for full investigation under the [Non-Academic Misconduct Policy and Procedure](#).
- If a full investigation is determined to be the appropriate action, your case will progress through the [Non-Academic Misconduct Policy and Procedure](#).

## **What are the possible outcomes of an investigation?**

Depending on the nature of the complaint and the evidence found, including the findings of any investigation, Student Conduct and Appeals will either:

1. Take no further action, other than, where appropriate, implementing or suggesting steps that would help to restore reasonable relationships between the parties; or
2. Issue a penalty, as outlined in the Non-Academic Misconduct Policy and Procedure
3. Decide that the matter should be referred to a Misconduct Committee

Following an investigation and whether or not your complaint is upheld, King's will provide you with an outcome to your report and any information that is relevant to you.

## **Appeals**

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### **Right to appeal**

If you remain dissatisfied with the outcome, you have the right to make a complaint to the Office of the Independent Adjudicator for Higher Education (OIA). You are also able to raise a complaint to the University if you believe the investigation process was incorrectly followed.

## **Right to a companion**

All students will be advised of their right to a companion at any, formal individual consultation meeting, or appeal hearing.

If the student wishes to be accompanied, they will need to follow the [Non-Academic Misconduct Procedure](#) for representation at Committees and Preliminary Enquiry Meetings.

## **Support for students**

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If you have experienced bullying, harassment and/or sexual misconduct King's encourages you to access support. There are many services within King's, and externally, which can support you through this challenging time.

- Your Personal Tutor or other trusted member of staff from your Faculty/Department
- (For PGR Students) Your Supervisor
- KCLSU Advice
- Your Faculty Wellbeing Advisor
- The Chaplaincy
- Specialist Welfare Advice or Counselling & Mental Health Services

For more information on support services and resources please visit our [Report and Support article](#).

## **Reports/Complaints Made Against You**

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If a report has been made against you for bullying, harassment or sexual misconduct this report will be taken seriously and investigated through informal or formal channels.

King's encourages you to engage with the following procedures in an open and respectful manner, with an aim of finding a positive resolution.

This may be a challenging time for you and King's has support services available for you throughout these processes below.

### **What happens when a report is made against me?**

If a report has been made about you, this report will have been reviewed by Student Support and Wellbeing Services (SSWS). As outlined above, SSWS will provide the reporting party with information about whether they would like to pursue informal or formal resolution. If an investigation is required, you will be contacted by Student Conduct and Appeals.

Our Report and Support article also provides guidance on [what happens when someone reports me](#).

### **Support for Reported Parties:**

King's understands that this may be a difficult time for you and you are encouraged to make use of the range of support available to you through King's services and external support agencies:

- Your Personal Tutor or other trusted member of staff from your Faculty/Department

- (For PGR Students) Your Supervisor
- KCLSU Advice
- Your Faculty Wellbeing Advisor
- The Chaplaincy
- Specialist Welfare Advice or Counselling & Mental Health Services

For more information on support services and resources please visit our [Report and Support article](#).

## Further Support and Information

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### Students who have witnessed bullying, harassment and/or sexual misconduct:

If you have witnessed bullying, harassment and/or sexual misconduct, King's offers support and guidance to help you navigate these challenging experiences.

- You can [make a report](#) about what you witnessed through Report and Support (named or anonymous)
- Speak to your Personal Tutor or other trusted member of staff from your Faculty/Department
- Seek advice from KCLSU Advice
- Speak to a Faculty Wellbeing Advisor

### Protection

As outlined in the [King's Community Charter](#), King's is committed to creating an inclusive, accessible and engaging environment that promotes equality of opportunity for everyone in our community.

Students who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result.

If you believe you have suffered any such treatment you should inform Student Conduct and Appeals. If the matter is not remedied, you should raise it formally using the Complaints Policy.

Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the Non-Academic Misconduct Policy.

### Confidentiality

Information concerning allegations of bullying, harassment and/or sexual misconduct must, so far as reasonably possible, be held in confidence by those to whom it is divulged. Unnecessary disclosure of such allegations may attract sanctions.

Information will be shared on a need-to-know basis, including as appropriate with the Reported Party and services offering support and guidance to Reporting Parties.

Once a formal complaint is pursued, it is likely to be appropriate and/or necessary for certain information to be provided to others within the University or to external bodies.

Those to whom disclosure may be made outside King's include the police, the Office of the Independent Adjudicator ("OIA") and the civil and criminal courts.

King's will not normally report a matter to the police without the Reporting Parties agreement, except in those rare circumstances where there is sufficient evidence to suggest that an individual poses an extreme risk.