EDA COLLEGE

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COMPREHENSIVE INFORMATION DOCUMENT
Bullying, Harassment and Sexual Misconduct

Version Control/History

Document Title	Comprehensive Information Document: Bullying, Harassment and Sexual Misconduct
Policy Owner	Principal
Custodian	Registrar / College Registry
Approved By	Academic Board
Approval Date	August 2025
Supersedes	EDA College Anti-Bullying and Anti-Harassment Policy (Version 1.1, December 2024)
Next Review Date	August 2026 (or immediately following any material change to OfS Condition E6 or related legislation)
OfS Condition	Condition E6: Harassment and Sexual Misconduct (in force 1 August 2025)

OfS CONDITION E6 COMPLIANCE NOTICE — This document is EDA College's Single Comprehensive Source of Information (SCSI) on harassment and sexual misconduct, as required by OfS Condition E6, which came fully into force on 1 August 2025. It must be read as a whole and is kept publicly available on the EDA College website.
Converted to Comprehensive Information Document format to comply with OfS Condition E6 (in force 1 August 2025). E6 compliance requirements integrated throughout. Aligned with the EDA College Student Handbook, Student Support Policy, Mental Health and Wellbeing Policy, and General Academic Regulations.

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1. Introduction and OfS Condition E6

1.1 Why This Document Exists

EDA College is committed to providing a learning and working environment that is free from all forms of bullying, harassment, victimisation and sexual misconduct. This Comprehensive Information Document (CID) sets out, in one accessible place, everything that students and staff need to know about:

- What constitutes bullying, harassment, victimisation and sexual misconduct at EDA College.
- The legal framework that protects everyone in our community.
- How to report an incident — formally and informally.
- What support is available to those who have experienced or witnessed such behaviour.
- The processes by which EDA College investigates reports and takes action.
- The rights and protections that apply to everyone involved.

1.2 OfS Condition E6: Harassment and Sexual Misconduct

The Office for Students (OfS) introduced Condition E6 on Harassment and Sexual Misconduct as a condition of registration, which came fully into force on 1 August 2025. This condition applies to all registered higher education providers and, through EDA College's collaborative partnership with Birmingham Newman University, it applies directly to EDA College.

OfS Condition E6 was introduced following evidence that:

- Approximately 20% of students in UK higher education have experienced unwanted sexual behaviour.
- Nearly 70% of those experiences occurred in a higher education setting.
- Only 13.2% of those affected made a formal report to their institution.
- Student confidence in institutional processes remains low across the sector.

The OfS Chief Executive, Susan Lapworth, stated: 'Students have told us clearly that they want to see more active regulation to tackle harassment and sexual misconduct in higher education. We've heard them, and our new regulation will help ensure they are better protected and better able to succeed on their courses.'

Condition E6 requires EDA College to:

- Maintain this Single Comprehensive Source of Information (SCSI) on harassment and sexual misconduct — meeting minimum content, accessibility and transparency standards.
- Take steps designed to make a significant and credible difference in protecting students from harassment and sexual misconduct.
- Ensure policies address both staff-to-student and student-to-student interactions.
- Provide accessible reporting mechanisms and clear support pathways.
- Deliver mandatory training for students and relevant staff.
- Publish data on incidents and outcomes to support transparency.
- Ensure that non-disclosure agreements (NDAs) are not used to silence those who make allegations — this provision has been in effect since 1 September 2024.
- Ensure fair, proportionate, and where appropriate trauma-informed investigation processes.

> *This document is publicly available on the EDA College website (www.edacollege.co.uk) and the college VLE. Any student, prospective student, staff member, or visitor may access it at any time. Accessibility formats are available on request from the Registrar.*

1.3 Scope

This document and the policies within it apply to:

- All students enrolled at EDA College, on any programme and at any level, including the Foundation Year.

- All staff employed by or working at EDA College, including teaching staff, support staff, administrative staff, contractors, and agency workers.
- All third parties who interact with students or staff in the course of EDA College activities, including visiting speakers, placement providers, and contractors on premises.
- Conduct and communications in all settings: on EDA College premises; in online environments, including the VLE, email, and social media; and in off-campus settings where the conduct is connected to a student's studies or college activities.

> *EDA College's commitment is to make a significant and credible difference to the safety and wellbeing of everyone in our community — not simply to meet a minimum compliance standard. If you are unsure whether an experience or behaviour falls within the scope of this document, contact the Student Support Team or the College Registry for guidance.*

PART A Definitions and Legal Framework
Understanding what bullying, harassment, sexual misconduct and victimisation mean in law and in practice

2. Definitions and Legal Framework

2.1 Bullying

Bullying in itself is not unlawful under a single statute, but conduct that constitutes bullying may also amount to harassment under the Equality Act 2010 or under the Protection from Harassment Act 1997, and may therefore be unlawful. EDA College treats all bullying — whether or not it is unlawful — as unacceptable and in breach of this policy.

Bullying is the abuse of power or position to undermine a person so that their confidence, self-esteem, or self-worth is weakened. It may arise from a misuse of personal or academic power, or from peer pressure. Bullying can take place individually or collectively. It may be direct or indirect, intentional or unintentional.

Examples of bullying behaviour include (this list is not exhaustive):

- Spreading rumours, gossip or malicious misinformation about a person.
- Excluding or isolating someone from social groups or academic activities.
- Persistent unfair criticism of a person's work or conduct.
- Undermining a person's academic confidence through persistent negative comment.
- Making someone the target of humiliating, degrading or embarrassing conduct.
- Persistent unreasonable or excessive demands.
- Online bullying (cyberbullying) through social media, messaging or email.

2.2 Harassment

2.2.1 Harassment under the Equality Act 2010

Harassment is unlawful under section 26 of the Equality Act 2010. It occurs where a person (A) engages in unwanted conduct related to a relevant protected characteristic, and that conduct has the purpose or effect of:

- violating the other person's (B's) dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

A person also harasses another if they engage in unwanted conduct of a sexual nature that has either of the above purposes or effects.

In deciding whether conduct has the relevant effect, the following must be taken into account:

- The perception of the recipient;
- The other circumstances of the case; and
- Whether it is reasonable for the conduct to have that effect.

The protected characteristics relevant to harassment under the Equality Act 2010 are:

Age	**Disability**	**Gender Reassignment**
Race / Colour	**Religion or Belief**	**Sex**
Sexual Orientation	**Cultural Background**	**Pregnancy and Maternity**

> *The list of protected characteristics at EDA College also includes Cultural Background, which is not a specifically named characteristic in the Equality Act 2010 but which EDA College treats as equally protected within this policy. Harassment on any basis that is related to a personal attribute of the recipient — whether or not it is a named protected characteristic — is treated seriously and investigated under this policy.*

2.2.2 Harassment under the Protection from Harassment Act 1997

The Protection from Harassment Act 1997 makes it unlawful to pursue a course of conduct that amounts to harassment of another — whether or not the conduct is related to a protected characteristic. A 'course of conduct' normally means conduct on at least two occasions. This provides protection against persistent bullying or intimidatory behaviour that may not be related to a protected characteristic.

2.3 Sexual Misconduct

The OfS Condition E6 defines sexual misconduct as including a broad range of behaviours. EDA College adopts the following definition, aligned with the OfS definition and with established legal standards:

Sexual misconduct means any unwanted or attempted unwanted conduct of a sexual nature, including:

- Sexual harassment — unwanted sexual advances, sexually provocative looks, remarks, jokes, or comments on appearance; displaying offensive sexual images; any form of unwanted physical contact of a sexual nature.
- Sexual assault — any unwanted physical contact of a sexual nature that does not amount to rape.
- Rape — penetration of any part of the body with a penis or object, without consent.
- Unwanted sharing of intimate images or videos (including 'deepfakes' and AI-generated images) without consent — sometimes referred to as 'revenge porn'.
- Exposure — deliberately exposing genitalia without consent.
- Sexual exploitation — using a position of power or trust for sexual purposes.
- Online sexual misconduct — sending unsolicited sexual messages, images or content; misuse of social media or digital platforms for sexual harassment.

CONSENT: Consent to sexual activity must be freely given, reversible, informed, enthusiastic and specific. Consent cannot be given by someone who is asleep, unconscious or intoxicated. A person can withdraw consent at any time. Previous consent to sexual activity does not constitute consent on a future occasion.

2.4 Victimisation

Victimisation under section 27 of the Equality Act 2010 is treating someone unfairly because they have:

- made a complaint or allegation of discrimination, harassment or victimisation under the Equality Act 2010;
- supported another person who has made such a complaint; or
- given evidence in connection with proceedings under the Equality Act 2010.

EDA College treats victimisation as a serious breach of this policy. Any person who victimises another in connection with a complaint made under this policy — whether or not the original complaint was substantiated — may face disciplinary action.

2.5 The Role of Perception

The recipient's perception of the conduct is significant. It is not necessary for a person to intend to bully, harass, victimise or engage in sexual misconduct for that conduct to fall within the scope of this policy. However, reasonableness is also relevant: the question is whether it was reasonable for the conduct to have the effect that the recipient experienced.

Unintentional conduct does not diminish the seriousness of the harm caused. It may, however, affect the nature of the response: informal resolution may be more appropriate where there is no indication of intent, while formal investigation will normally be required where there is an indication of deliberate conduct.

PART B Policy Principles and College Commitments

EDA College's values and obligations in preventing and responding to bullying, harassment and sexual misconduct

3. Policy Principles and EDA College's Commitments

3.1 Zero Tolerance

EDA College does not tolerate any form of bullying, harassment, victimisation or sexual misconduct at any level or in any form of interaction — whether between students, between staff, or between staff and students. This applies in all college settings, in online environments, and in any off-campus activity connected with a student's studies.

Any incident or allegation will be taken seriously and handled in accordance with this policy. The fact that bullying or harassment is common or widespread, or that the recipient did not immediately object, does not diminish the seriousness of the conduct.

3.2 EDA College's Commitments Under OfS Condition E6

EDA College commits to taking steps designed to make a significant and credible difference to the safety of students from harassment and sexual misconduct. Specifically:

Commitment	Detail
Prevention	EDA College will actively promote a culture in which bullying, harassment and sexual misconduct are not tolerated, through awareness raising, communication of this document, and mandatory training at induction.
Reporting	EDA College will maintain accessible, clear and well-publicised reporting routes for all forms of bullying, harassment, victimisation and sexual misconduct.
Support	EDA College will ensure that those who report or experience bullying, harassment or sexual misconduct are supported throughout the process, with access to wellbeing and welfare services, academic adjustments, and third-party referral.
Investigation	EDA College will investigate all formal reports promptly, fairly, consistently and in a trauma-informed manner, ensuring natural justice for all parties.
Confidentiality	Information shared in connection with a report will be handled with discretion and shared only on a need-to-know basis. EDA College will not seek to suppress or prevent disclosure through the use of NDAs.
Non-retaliation	Those who make reports in good faith will not suffer any academic or professional detriment as a result. Victimisation is treated as seriously as the original conduct.
Transparency	EDA College will publish data on incidents and outcomes in its Annual Quality and Standards Monitoring Framework and will report progress against these commitments to the Academic Board each year.
Training	Mandatory harassment and sexual misconduct awareness training is provided to all students at induction and to all staff as part of mandatory continuing professional development.

3.3 NDA Prohibition — In Force Since 1 September 2024

ABSOLUTE PROHIBITION ON NDAs: From 1 September 2024, EDA College cannot require any student or staff member to sign a non-disclosure agreement (NDA) or any other agreement that prevents them from speaking about or reporting an incident of bullying, harassment, victimisation, or sexual misconduct. Any such clause in any agreement — including a settlement agreement, confidentiality agreement, or compromise agreement — is void and unenforceable. If you are ever asked to sign such an agreement, report this to the Principal immediately.

3.4 Staff-Student Relationships

OfS Condition E6 specifically requires EDA College to address the risk of harm arising from intimate or personal relationships between staff and students. EDA College recognises that such relationships can involve an inherent power imbalance that puts the student at risk of exploitation or harm.

EDA College's position is that:

- Romantic or sexual relationships between staff and students currently under the supervision, assessment, or pastoral care of that member of staff are prohibited.
- Where a personal or romantic relationship exists or develops between a staff member and a student who is not under their direct supervision, the member of staff must disclose this to the Principal immediately, and arrangements will be made to remove the potential for conflict of interest.
- Staff who breach this provision may face disciplinary action.
- The prohibition applies during and for a reasonable period after the supervisory or assessment relationship ends.

> *This provision exists to protect students. If you are a student and you feel that a member of staff has behaved inappropriately towards you, or has sought a personal relationship with you in a way that makes you uncomfortable, you can report this under Section 5 of this document. You will be supported and you will not face any academic penalty for making a report.*

PART C Examples of Behaviour Covered by This Document

Recognising bullying, harassment and sexual misconduct in practice

4. Examples of Bullying, Harassment and Sexual Misconduct

4.1 Examples of Harassment Based on Protected Characteristics

The following examples are drawn from EDA College's Anti-Bullying and Anti-Harassment Policy. This list is not exhaustive. Harassment can occur based on any personal attribute that makes the individual different from the person engaging in the conduct.

Type of Harassment	Examples
Sexual Harassment	Unwelcome sexual advances; sexually provocative looks, remarks or jokes; comments on appearance; displaying offensive images of a sexual nature; unwanted physical contact of a sexual nature; pressuring someone for sexual activity.
Racial Harassment	Derogatory name-calling; racial insults; reference to skin colour; racist jokes; ridicule for cultural differences; verbal abuse related to national, ethnic or racial origin.
Disability Harassment	Not recognising competencies; drawing attention to disability or personal appearance in a derogatory way; making jokes about disability; ignoring a person because of their disability; focusing on limitations rather than capabilities.
Ageist Harassment	Denigrating competencies based on age; patronising or ridiculing because of age; marginalising; leaving people out of social or academic activities because of age.
Sexual Orientation Harassment	Homophobic, biphobic or transphobic jokes or remarks; threats to disclose sexual orientation without consent; ridicule or marginalisation because of sexual orientation.
Religion or Belief Harassment	Not supporting religious requirements such as prayer; offering inappropriate catering; offensive jokes about religious beliefs or practices; excluding someone because of their religion.
Gender Reassignment Harassment	Ridiculing dress, personal appearance, or name; offensive jokes and remarks about gender identity; deliberately misgendering a person.
Status Harassment	Patronising, ostracising or marginalising colleagues or students because of their job role, educational background, or socioeconomic status.

4.2 Examples of Bullying

The following behaviours may constitute bullying. The list is not exhaustive:

- Persistently criticising someone's work or conduct in a way that is unfair, disproportionate, or designed to undermine them.
- Spreading false or malicious rumours, gossip, or misinformation about a person.
- Excluding someone from social activities, group chats, or academic networks.
- Making someone the subject of humiliating pranks, mockery, or jokes.
- Using social media, WhatsApp, or other digital platforms to send abusive messages, post embarrassing images, or encourage others to exclude or target someone.
- Withholding information or academic resources from a student in a way designed to disadvantage them.
- Intimidating or threatening a student or colleague.
- Subjecting someone to excessive, unreasonable workload or demands as a means of control or punishment.

4.3 Examples of Sexual Misconduct

Examples of conduct that may constitute sexual misconduct at EDA College include (this list is not exhaustive):

- Unwanted sexual advances or touching.
- Sending unsolicited sexual images, messages, or requests via any medium.
- Non-consensual sharing of sexual images or videos.
- Making sexually explicit or suggestive comments about a person's appearance or body.
- Pressuring or coercing someone to engage in sexual activity.
- Following or tracking someone in a sexual or threatening manner (stalking).
- Sexual assault or rape.
- Generating or sharing AI-generated sexual images of a real person without their consent.

PART D How to Report

Reporting routes for students, staff and third parties — informal and formal

5. How to Report an Incident

5.1 Who Can Make a Report

A report under this policy can be made by:

- Any student who has experienced or witnessed bullying, harassment, victimisation or sexual misconduct.
- Any member of staff who has experienced or witnessed bullying, harassment, victimisation or sexual misconduct.
- Any third party (including visiting speakers, placement providers, or contractors on college premises) who has experienced or witnessed such conduct.
- Any person acting on behalf of any of the above, with their knowledge and consent.

> *You do not need to be the direct victim of the conduct to make a report. If you witness conduct that you believe amounts to bullying, harassment, or sexual misconduct, you are encouraged to report it — with the knowledge of the person affected, where possible.*

5.2 Informal Resolution

Where a student or staff member experiences conduct that they find unwelcome but which they do not wish to escalate to a formal complaint, EDA College encourages them first to consider whether informal resolution is possible and appropriate. Informal resolution may include:

- Speaking directly to the person engaging in the conduct and making clear that it is unwelcome, if this feels safe and appropriate.
- Speaking to your Personal Tutor, Programme Leader, or line manager, who may be able to address the situation informally.
- Contacting the Student Support Officer for guidance and support before deciding whether to make a formal complaint.

Informal resolution is entirely voluntary. A student or staff member who feels that informal resolution is not appropriate — because of the seriousness of the conduct, because they do not feel safe raising it directly, or for any other reason — should proceed directly to the formal process.

5.3 Formal Reporting Routes

5.3.1 Students reporting bullying or harassment by another student

1	Contact your Student Support Officer. They will listen to your account, explain your options, and provide initial support.
2	The Student Support Officer will discuss with you whether you wish to proceed to a formal complaint and will help you complete the complaint form, available via EDAN.
3	A formal complaint is submitted to the Registrar. The Registrar will acknowledge receipt within 3 working days.
4	The complaint is investigated in accordance with the Investigation Process in Section 7. You will be kept informed of progress.
5	Where the complaint is substantiated, the matter is referred to the Student Disciplinary Procedure and action is taken against the respondent.

5.3.2 Students reporting bullying, harassment or sexual misconduct by a member of staff

1	Contact the Student Support Officer or the Registrar directly. Do not feel obliged to speak to the member of staff concerned or to any manager of that staff member before raising the complaint formally.

2	A formal complaint is submitted to the Registrar, who will acknowledge receipt within 3 working days.
3	The Registrar will refer the complaint to the Principal. If the Principal is the subject of the complaint, it is referred to the Chair of the Academic Board.
4	The investigation is conducted in accordance with Section 7, with appropriate separation between the investigating officer and the respondent's line management.
5	Where the complaint is substantiated, the matter is referred to EDA College's Employee Disciplinary Procedure.

5.3.3 Staff reporting bullying, harassment or sexual misconduct by another member of staff

Staff wishing to make a complaint about bullying, harassment, victimisation or sexual misconduct by another member of staff should follow the procedure set out in the EDA College Employee Handbook, which incorporates these procedures. Reports should be made to the line manager or, where the line manager is the subject of the complaint, directly to the Principal.

5.3.4 Staff reporting bullying, harassment or sexual misconduct by a student

1	The member of staff reports the matter to their line manager or the Registrar as soon as reasonably practicable.
2	The Registrar acknowledges receipt within 3 working days and initiates the investigation process.
3	The complaint is investigated in accordance with Section 7. The Student Disciplinary Procedure applies if the complaint is substantiated.

5.3.5 Reports involving third parties

For the purposes of this policy, a third party is any person with whom a student or staff member interacts during college activities who is neither a student nor a staff member — for example a visiting speaker, placement provider, contractor, or external assessor.

Students or staff wishing to report conduct by a third party should speak to their Student Support Officer or line manager respectively. EDA College will consider what steps are reasonably practicable to address the conduct, which may include removing the third party's access to college premises, contacting the third party's employer, or taking legal advice.

5.4 Anonymous Reporting

EDA College accepts anonymous reports. Where a report is made anonymously, the Registrar will consider what action is possible based on the information provided. Anonymous reports may be more limited in the investigation and action they can generate, but they are always reviewed and recorded. Where an anonymous report raises concerns about safeguarding or immediate risk to safety, the Registrar will take appropriate action in the public interest, even where this cannot be aligned with a named complainant.

5.5 Emergency and Out-of-Hours Reporting

Where an incident requires an immediate response — for example because a student is at immediate risk of harm — students should:

- Call 999 (emergency services) if there is an immediate danger to life or safety.
- Call the Police on 101 for non-emergency crimes.
- Contact the Student Support Officer during college hours: contact details are on the EDA College website and EDAN.
- Contact the Samaritans (free, 24/7) on 116 123 for emotional support.
- Contact Rape Crisis (free, 24/7) on 0808 500 2222 for immediate support following sexual violence.

Where a student discloses a safeguarding concern — including a risk of harm to themselves or others — EDA College staff will take immediate appropriate action in line with the Mental Health and Wellbeing Policy, which may include contacting emergency services or a trusted contact.

PART E Support

Support available to those who have reported, experienced, or been accused of bullying, harassment or sexual misconduct

6. Support for Those Involved

6.1 Support for Complainants

EDA College is committed to ensuring that students and staff who report bullying, harassment, victimisation or sexual misconduct are supported throughout and after the process. The following support is available:

Support Type	What It Involves
Student Support Officer	A named Student Support Officer is available to all students making a report under this policy. They will accompany a student to meetings, help them navigate the process, and connect them with additional support.
Personal Tutor Support	A student's Personal Tutor will be notified (with the student's consent) and will maintain regular contact throughout the process, offering academic and pastoral support.
Mental Health Advisor	Students experiencing distress as a result of bullying, harassment or sexual misconduct can access the college's Mental Health Advisor for confidential emotional support and, where appropriate, referral to external services.
Academic Adjustments	Where a student's ability to attend, submit work, or engage in assessments is affected, EDA College will consider reasonable academic adjustments — including extensions, Individual Learning Plans (ILPs), or Reasonable Adjustment Plans (RAPs) — through the processes set out in the Student Support Policy.
Practical Arrangements	Where a student is at risk of continuing contact with the respondent, EDA College will consider practical arrangements such as timetable adjustments, VLE access restrictions, or temporary exclusion of the respondent from certain areas while the investigation is ongoing.
Legal Information and External Referral	EDA College will signpost students to external organisations including Rape Crisis, the National Stalking Helpline, Citizens Advice, and the police, as appropriate to the nature of the conduct reported.

6.2 Support for Respondents

EDA College is committed to ensuring that all investigations are fair and that respondents — those against whom a complaint is made — are treated with natural justice throughout the process. This means:

- Respondents will be informed of the nature of the complaint against them as soon as is practicable and consistent with the safety of the complainant and the integrity of the investigation.
- Respondents will have the opportunity to respond to the complaint and to provide their account of events.
- Respondents will be treated as innocent of the allegation unless and until it is substantiated through investigation.
- Respondents may be accompanied by a colleague or trade union representative at any formal meeting connected with the investigation.
- Confidentiality will be maintained as far as reasonably practicable throughout the process.

> *EDA College aims to conduct all investigations in a way that is trauma-informed for complainants and procedurally fair for respondents. These two objectives are complementary, not contradictory. Concerns about the fairness of the process can be raised with the Registrar or through the Student Complaints Policy at any stage.*

6.3 External Support Organisations

Samaritans	116 123 (free, 24/7) — emotional support for anyone in distress.
Rape Crisis	0808 500 2222 (free, 24/7) — specialist support for victims of sexual violence.
National Stalking Helpline	0808 802 0300 — support for victims of stalking.
Galop (LGBT+ anti-violence)	0800 999 5428 — specialist support for LGBT+ victims of abuse and violence.
Citizens Advice	www.citizensadvice.org.uk — free legal information and advice.
Police	999 (emergency) or 101 (non-emergency) — to report a crime.
MIND	0300 123 3393 — mental health information and support.
Birmingham Newman University Student Support	Available to all EDA College students as registered Birmingham Newman students.

PART F Investigation Process

How EDA College investigates formal reports — fairly, promptly and consistently

7. The Investigation Process

7.1 Principles of Investigation

All formal investigations under this policy are conducted in accordance with the following principles:

- Impartiality: The investigating officer has no personal connection to either party and no prior involvement in the complaint.
- Promptness: EDA College aims to complete preliminary investigations within 20 working days of receipt of a formal complaint, and full investigations within 40 working days. Where this is not possible, the complainant and respondent will be informed of the revised timeline with reasons.
- Natural justice: Both the complainant and the respondent are informed of the allegation, given the opportunity to respond, and kept informed of the progress and outcome.
- Trauma-informed approach: Investigators consider the potential impact of the process on the complainant and take reasonable steps to minimise re-traumatisation while gathering the evidence needed for a fair investigation.
- Confidentiality: Information is shared only on a need-to-know basis, in line with Section 6 of the Student Support Policy 2026–27.
- Balance of probabilities: The standard of proof in disciplinary proceedings is the civil standard — whether it is more likely than not that the conduct complained of occurred.

7.2 The Investigation Stages

1	RECEIPT OF COMPLAINT — The Registrar receives the complaint (formal form, or referral from Student Support Officer). Acknowledgement is sent to the complainant within 3 working days. An investigating officer is appointed.
2	INITIAL ASSESSMENT — The investigating officer makes an initial assessment of the complaint within 5 working days, to determine: whether the matter requires immediate interim measures (e.g. timetable separation); whether the complaint is within scope; whether the matter should be referred to the police or another external body.
3	INTERIM MEASURES — Where necessary to protect the safety of any party while the investigation proceeds, EDA College may impose interim measures. These are precautionary, not disciplinary, and do not imply a finding of guilt.
4	INVESTIGATION — The investigating officer gathers evidence, including: a written statement from the complainant; a written statement from the respondent; statements from witnesses; documentary evidence (messages, emails, VLE records, CCTV where relevant). All parties are given the opportunity to submit evidence.
5	INVESTIGATION REPORT — The investigating officer prepares a written report setting out the evidence, findings of fact, and a recommendation as to whether the conduct constitutes a breach of this policy.
6	DECISION AND OUTCOME — The Registrar (or where appropriate, the Principal) reviews the investigating officer's report and determines the outcome. Both parties are informed of the outcome in writing, within 5 working days of the decision.
7	DISCIPLINARY OR OTHER ACTION — Where the complaint is substantiated, the matter is referred to the relevant disciplinary procedure (Student Disciplinary Procedure or Employee Disciplinary Procedure as applicable). Outcomes may range from an apology and educational programme to suspension or expulsion/dismissal.
8	APPEAL — Both parties have the right to appeal against the outcome. See Section 8.

7.3 Interaction with Criminal Proceedings

Where conduct reported under this policy may also constitute a criminal offence — for example sexual assault, rape, stalking, or hate crime — EDA College will:

- Support the student to report the matter to the police, if they choose to do so. This is always the student's decision; EDA College will not report to the police without the consent of the student concerned, except where this is required by law (for example, safeguarding duties) or where there is a serious risk to the safety of others.
- In most cases, pause the internal investigation while a police investigation is ongoing, to avoid prejudicing criminal proceedings. An appropriate timeline will be agreed with the complainant.
- Maintain interim protective measures throughout the period of any external proceedings to protect the complainant's safety and wellbeing.

8. Appeals

8.1 Right of Appeal

Both the complainant and the respondent have the right to appeal against the outcome of an investigation under this policy. An appeal may be made on one or more of the following grounds:

- Procedural irregularity: There was a procedural error in the investigation that materially affected the outcome.
- New evidence: Material new evidence has come to light that was not available at the time of the investigation and which may have affected the outcome.
- Disproportionate sanction: The sanction imposed is disproportionate to the conduct found to have occurred.

An appeal is not a re-hearing of the complaint. The appeal panel will consider whether any of the above grounds are made out and will take such action as is proportionate — which may include: upholding the appeal and ordering a fresh investigation; upholding the appeal and varying the sanction; or dismissing the appeal.

8.2 Appeal Process

1	The appellant submits a written notice of appeal to the Registrar within 15 working days of receiving the outcome notification, setting out the grounds of appeal and the evidence or arguments relied upon.
2	The Registrar acknowledges receipt within 3 working days and appoints an appeal panel of at least two persons who had no prior involvement in the investigation.
3	Both parties are given the opportunity to make written submissions to the appeal panel. Oral hearings may be offered at the discretion of the appeal panel where this would assist in reaching a fair decision.
4	The appeal panel communicates its decision in writing to both parties within 20 working days of receiving the notice of appeal.
5	Where a student remains dissatisfied after exhausting EDA College's internal procedures, they may refer the matter to the Office of the Independent Adjudicator (OIA) — a free, independent service for students. Students will be provided with a Completion of Procedures letter to enable this referral.

PART G Training and Awareness

Mandatory training and awareness requirements under OfS Condition E6

9. Training, Awareness and Prevention

9.1 Mandatory Student Training

OfS Condition E6 requires EDA College to provide mandatory training on bullying, harassment and sexual misconduct for all students. EDA College delivers this requirement through:

- Induction training: All new students complete a mandatory module on bullying, harassment and sexual misconduct awareness as part of induction, before or at the point of commencing their studies. This includes: the definitions in this document; how to report; sources of support; and EDA College's expectations of student conduct.
- Annual awareness: All students receive an annual reminder of this document and an updated summary of EDA College's commitments, normally at the start of each academic year.
- Embedded curriculum content: Awareness of professional standards, respectful conduct and bystander intervention is embedded within the Personal Development for Managers and Entrepreneurs module at Level 4.

9.2 Staff Training

All staff receive training on their responsibilities under this policy as part of:

- Induction: All new staff complete mandatory training on bullying, harassment and sexual misconduct awareness before they begin working with students.
- Annual CPD: All staff complete an annual refresh of this training as part of mandatory continuing professional development, consistent with the requirements set out in the Staff Development programme.
- Specialist training: Personal Tutors, the Academic Support Team, and any staff designated as report handlers receive additional training in trauma-informed practice, the investigation process, and their specific responsibilities.

9.3 Bystander Intervention

EDA College encourages all members of its community to act as active bystanders — to feel equipped and empowered to intervene safely when they witness conduct that may amount to bullying, harassment or sexual misconduct. This includes:

- Checking in with the person being targeted, either at the time or afterwards, to offer support.
- Distracting the person engaging in the conduct — without direct confrontation, where this is safer.
- Reporting the incident to a member of staff or through the formal reporting routes.
- Supporting a friend or colleague who has experienced conduct to access support and report.

Bystander intervention skills are included in the mandatory induction training for students. Staff are encouraged to role-model bystander behaviour.

10. Monitoring, Transparency and Continuous Improvement

10.1 Data Collection and Publication

OfS Condition E6 requires EDA College to collect and publish data on incidents and outcomes to support transparency and accountability. EDA College will publish, as part of its Annual Quality and Standards Report:

- The number of formal complaints received under this policy during the academic year, disaggregated by type of conduct (bullying, harassment, sexual misconduct) and the relationship between complainant and respondent.
- The number of investigations completed and the outcomes (substantiated, not substantiated, withdrawn, referred to external body).
- The number and nature of sanctions imposed.
- Any systemic patterns or themes identified across complaints.
- Confirmation that mandatory training has been delivered to students and staff.

Data will be published in aggregate, anonymised form that does not enable identification of individuals. EDA College is committed to being transparent about its performance in this area, including where performance needs to improve.

10.2 Annual Review

This document is reviewed annually by the Academic Board, and more frequently where:

- OfS Condition E6 or its associated technical guidance is updated.
- Relevant legislation changes.
- An internal review or external audit identifies a material gap in EDA College's approach.
- A complaint or outcome reveals a systemic issue that requires a policy response.

The outcome of the annual review is reported to the Academic Board and communicated to students and staff. Students are given the opportunity to contribute to the review through the Staff Student Consultative Committee (SSCC).

10.3 Relationship to Other Quality Frameworks

Monitoring of this document's implementation feeds into:

- The EDA College Annual Quality and Standards Monitoring Framework (Strand 3: Student Outcomes and Experience, and Strand 4: Governance, Compliance and Risk).
- The Annual Evaluation Review (AER) submitted to Birmingham Newman University.
- The Quality Improvement Plan, where any finding from monitoring, complaint, or external review identifies an action required.

11. Roles and Responsibilities

Role / Body	Responsibility	When Engaged
Principal	Overall accountability for this document and EDA College's compliance with OfS Condition E6. Signs off the annual review. Receives escalated complaints. Ensures adequate resources are in place for the support and investigation infrastructure.	Annual review; escalated complaints; Resource decisions.
Academic Board	Approves this document and any amendments. Reviews the annual data report on complaints and outcomes. Holds the Principal and Registrar to account for compliance.	Annual; as material amendments arise.
Registrar	Custodian of this document. Receives and acknowledges all formal complaints. Appoints investigating officers. Oversees the investigation process. Maintains data records. Prepares the annual compliance report.	Continuous; all formal complaints.
Student Support / Mental Health Advisor	Provides support to complainants and respondents throughout the process. Coordinates academic adjustments and welfare referrals. Provides trauma-informed input to investigators.	Whenever a complaint is received.
Student Support Officers	First point of contact for students wishing to report. Supports students through the process. Provides initial information and signposting. Refers to the Registrar for formal complaints.	Whenever a student seeks support.
Personal Tutors	Provide pastoral support (with student's consent) to students throughout the process. Monitor academic impact and refer to AST for extensions or other adjustments.	Throughout the student's experience; as concerns arise.
All Staff	Uphold this policy in all interactions. Complete mandatory training. Report conduct that may breach this policy. Never take action that amounts to bullying, harassment or sexual misconduct. Never require or suggest an NDA in connection with such conduct.	Continuously.
All Students	Treat all members of the college community with dignity and respect. Refrain from conduct that may amount to bullying, harassment or sexual misconduct. Report conduct they experience or witness. Engage with mandatory training.	Continuously.
Birmingham Newman University — Academic Partnerships Lead	Quality assurance oversight through the AER and Link Tutor processes. Notified of any systemic concerns about EDA College's compliance with Condition E6.	Annual AER; as escalations arise.

12. Related Policies, Documents and Legal Framework

12.1 EDA College Documents

EDA College General Academic Regulations 2025–26	Source of academic regulations governing student conduct and disciplinary proceedings.
EDA College Student Handbook 2026–27	Student-facing summary of expectations, conduct standards, and available support.
EDA College Student Support Policy 2026–27	Source of the Personal Tutor, AST, RAP/ILP, and early intervention support infrastructure referenced throughout this document.
EDA College Mental Health and Wellbeing Policy	Governs the response to wellbeing crises and the support available to students experiencing distress; directly relevant to the support of complainants in this document.
EDA College Student Disciplinary Procedures	The disciplinary procedure invoked where a complaint under this document is substantiated against a student.
EDA College Employee Handbook / Staff Disciplinary Procedure	The disciplinary procedure invoked where a complaint against a staff member is substantiated.
EDA College Annual Quality and Standards Monitoring Framework	The quality governance framework into which monitoring data under Section 10 feeds.
EDA College Freedom of Speech and Academic Freedom Policy	Relevant to the intersection between harassment obligations and free speech duties; harassment is not protected by free speech laws.
EDA College Data Protection Policy	Governs the handling of sensitive personal data in the investigation process.

12.2 External Legal Framework

Equality Act 2010 — section 26	Primary legal definition of harassment; underpins this entire document.
Protection from Harassment Act 1997	Makes persistent harassment a civil and criminal offence, covering conduct not related to a protected characteristic.
Sexual Offences Act 2003	Governs the criminal law on sexual assault, rape, and related offences.
Online Safety Act 2023	Includes duties on sharing of intimate images without consent; relevant to online sexual misconduct.
OfS Condition E6: Harassment and Sexual Misconduct	The OfS registration condition in force from 1 August 2025 that this document is designed to implement. NDA provisions in force from 1 September 2024.
OfS Technical Guidance on Condition E6	Detailed guidance from the OfS on how to comply with Condition E6, published alongside the condition.
Human Rights Act 1998 — Article 8	Right to respect for private and family life; relevant to the privacy of parties to a complaint and to staff-student relationship policies.
UK GDPR and Data Protection Act 2018	Governs all personal data processed in connection with complaints, investigations, and data publication.