

Sexual Misconduct Prevention and Response Policy

Document

Document Name	Sexual Misconduct Prevention and Response Policy
Issue Date	July 2025
Policy Code and Version	QS13b, version 25_01
Document Audience	Every employee, student, service provider, client, customer, contractor and visitor when they are engaged in Navitas related activity or at a facility operated by Navitas throughout all European locations
Responsibility	Director of People and Engagement, UPE
Brief Description of Policy	This policy, and the accompanying procedure, set out how Navitas complies with relevant legal standards and regulations regarding sexual misconduct, including sexual harassment or assault and gender-based harassment or violence

Version Control

Date	Version Number	Summary of Changes	Reviewer Name and Department / Office
27/06/2025	0.2	New Policy	Director of People & Engagement, UPE

Related Documents

Name	Location
Sexual Misconduct Prevention and Response Procedure for Staff	Policy Hub
Sexual Misconduct Prevention and Response Procedure for Students	College Websites
Staff-Student Relationships Policy	Policy Hub and College Websites

Contents

Sexual Misconduct Prevention and Response Policy	1
1. Purpose and Scope	3
2. Policy Statement	3
3. Key Terminology	4
3.1. Sexual Misconduct	4
3.2. Consent	4
4. Risk Management.....	4
5. Induction and Training.....	4
6. Raising Disclosures and Formal Reports	5
7. Amnesty policy for bystanders or victims who report sexual assault.....	5
8. Confidentiality Requirements.....	6
9. Support Services for People Who Experience Sexual Misconduct.....	6
10. Intimate Relationships Between Employees and Students	6
11. Use of Non-Disclosure Agreements or Non-Disparagement Agreements	6
12. Freedom of Speech	6
13. Internal Reporting Requirements.....	7
14. Consultation with Student Bodies.....	7
15. Review.....	7

1. Purpose and Scope

This policy, and the accompanying procedure, set out how Navitas complies with relevant legal standards and regulations regarding sexual misconduct, including sexual harassment or assault and gender-based harassment or violence.

It applies to every employee, student, service provider, client, customer, contractor and visitor when they are engaged in Navitas related activity or at a facility operated by Navitas and is applicable to all European locations.

Note: Where students experience sexual misconduct on placement activities, the local procedures at the site of the placement should be used. Navitas will ensure that the relevant College/Campus personnel are informed, and that appropriate action is taken to ensure the safety of students. Where the host employer has no local procedure, Navitas can offer/apply its response and investigation procedure.

2. Policy Statement

Navitas is committed to providing a safe, inclusive and respectful environment for all members of its community, and to responding to sexual misconduct in a trauma-informed and procedurally fair way. Acts of sexual misconduct, harassment and assault, including gender-based harassment or violence, are always unacceptable and will not be tolerated.

Navitas acknowledges that inequality and power imbalance provide the underlying social conditions for personal violence and recognises that sexual misconduct is disproportionately experienced by women and persons from vulnerable or high-risk groups.

As part of this policy and the accompanying procedure, Navitas strives to:

- establish consistent understanding of sexual misconduct and associated terms
- prohibit sexual misconduct by all members of the Navitas community, including employees, students, contractors, host employers and visitors
- establish expected behaviours for all persons when they are engaged in Navitas related activities or at a facility operated by Navitas
- provide a mandatory induction and training processes that will be applied to all employees and students
- protect the safety and welfare of students and employees disclosing or reporting sexual misconduct
- set out processes for reporting disclosures or reporting of sexual misconduct
- set out processes for responding to, and investigating, disclosures or reports of sexual misconduct, including:
 - identifying appropriate avenues to raise a disclosure or formal report
 - establishing processes for determining the appropriate person to conduct an investigation
 - providing evidence-based and trauma-informed support services to students and employees who have experienced sexual misconduct
 - providing support to the alleged perpetrator
 - applying disciplinary action in the event of adverse findings, and advising relevant parties of investigation outcomes
 - establishing appeals processes for persons involved in a report of sexual misconduct
- provide processes for supporting a report to the police or relevant law enforcement agency and regulatory body where required
- encourage safe and active bystander intervention, and provide an amnesty for students who have been drinking and/or using drugs at the time that sexual assault occurs from code of conduct actions in the event that they lodge a report
- communicate contact information for support services available to persons who are experiencing or have experienced sexual misconduct
- provide a single location for students and staff to access comprehensive information on sexual misconduct, including relevant information found in this policy and subsequent procedures
- reinforce Navitas' policy on intimate relationships between employees and students
- prevent the use of non-disclosure agreements or non-disparagement agreements in matters relating to sexual misconduct
- protect the principles of freedom of speech within the context of delivering higher education services and participating in academic endeavours
- establish internal reporting requirements to Navitas' Executive Leadership Team regarding incidents of sexual misconduct
- establish a requirement to consult with student bodies when revising or amending the associated procedure.

3. Key Terminology

3.1. Sexual Misconduct

Sexual misconduct includes any of the following:

- rape
- sexual assault
- sexual exploitation
- sexual harassment
- stalking
- indecent exposure
- voyeurism
- the distribution of an intimate image without the consent of the individual depicted in the image
- gender-based harassment / violence
- the attempt to commit an act of sexual misconduct or a threat to commit an act of sexual misconduct.

Sexual harassment occurs when a person makes an unwelcome sexual advance, an unwelcome request for sexual favours, or engages in other unwelcome or non-consensual conduct of a sexual nature in relation to another person. This occurs in circumstances where it is possible that the person harassed would be offended, humiliated or intimidated. Sexual harassment can be subtle and implicit rather than explicit.

Further definitions on key terminology are provided in the procedure accompanying this policy.

3.2. Consent

Importantly, all sexual activity must be underpinned by affirmative consent between the participants involved in the activity.

Sexual consent is a free, voluntary and informed agreement between people to participate in a sexual act. This agreement is only present when these people mutually and genuinely feel they want to engage in that sexual act and actively make sure their partner does too.

4. Risk Management

Navitas is committed to ensuring that risks associated with sexual misconduct, harassment and assault are appropriately identified and managed at all of its workplaces.

Where required by local legislation or as determined for each workplace/campus:

- A *Sexual Misconduct and Sex or Gender-Based Harassment Prevention Plan* will be prepared to address risks across the entire workplace
- *Sexual Misconduct Risk and Needs Assessments* will be completed for all disclosures or formal reports of sexual misconduct.

5. Induction and Training

Navitas is committed to:

- Making appropriate, proactive, and sustained internal training opportunities available to all members of the Navitas community
- Maintaining a dedicated webpage on sexual misconduct and harassment, with clear information about support services, and reporting options available to individuals impacted by sexual misconduct and harassment as well as resources for responding to disclosures
- Facilitating on-going and pro-active prevention activities with an emphasis on increasing awareness of bystander engagement, prohibited or unwanted behaviours and the importance of consent, response to disclosures of sexual misconduct and harassment, and support options available for persons involved

- Ensuring that individuals involved in managing or undertaking procedures related to the support, investigation, and disciplinary action regarding cases of sexual misconduct and harassment, will receive specific training on trauma-informed responses and support pertinent to their roles

Navitas will ensure that appropriate training and induction is provided to both employees and students in relation to acceptable behaviours throughout its workplaces, options for raising disclosures or formal reports of sexual misconduct and harassment, and processes which will be undertaken to investigate any such reports.

Where required for their role, employees will be provided with additional training to ensure they are capable to respond to, triage, seek further support/escalate, review and investigate reports of sexual misconduct and harassment.

Further information on the topics and frequency of training is provided in the procedures accompanying this policy (Staff and Students).

6. Raising Disclosures and Formal Reports

Any employee, student or bystander who experiences or witnesses sexual misconduct and/or harassment is encouraged to make a disclosure or formal report. Navitas businesses are expected to offer multiple avenues for raising instances of sexual misconduct and harassment, including through online reporting portals and providing contact details for trained employees to act as a first responder and source of support.

Care and consideration for a person's wellbeing is the primary focus of Navitas in responding to any disclosure of sexual misconduct or harassment.

In considering the wellbeing of a person involved in a disclosure of sexual misconduct, Navitas must consider all implications with regards to that person participating in potential reports and/or misconduct processes and investigations. These implications will be balanced against Navitas's obligations to address the possible misconduct and to provide a safe workplace and environment.

All disclosures will be reviewed by appropriate employees to assess whether a further investigation is required, and all formal reports will be followed up by an investigation. Outcomes of any investigation will be advised to all parties involved in the disclosure or formal report.

Where a person informally discloses that an incident of sexual misconduct or harassment has occurred, Navitas employees are expected to raise, or support the person to raise, the concern as a written disclosure unless explicitly requested not to. Navitas employees should also advise that an anonymous report can be raised on the person's behalf and offer to assist in making the disclosure in the first instance. Where the person still does not want a written record of the disclosure to be raised, this is to be respected unless the disclosure meets the requirements of mandatory reporting laws relating to abuse of a child or vulnerable person.

Regardless of the option or options chosen to raise an allegation of sexual misconduct or harassment, special arrangements can be requested by the Discloser. Special arrangements will not be disciplinary nor viewed as an assessment of the alleged misconduct. Possible special arrangements will be based on the needs of the Discloser to support their continued involvement with the Navitas community.

All parties involved in the disclosure or formal report will have the right to an internal appeal of any subsequent actions. The appeal will be held by an impartial Navitas employee. Involved parties may also raise concerns with appropriate enforcement or regulatory agencies external to Navitas.

Further information on the process for raising disclosures/formal reports, conducting investigations, lodging appeals is provided in the procedure accompanying this policy (Staff and Students).

7. Amnesty policy for bystanders or victims who report sexual assault

The health and safety of every student at Navitas is of utmost importance. Navitas recognises that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

Navitas strongly encourages students to report sexual assault to its employees or to the police.

Document Name: Sexual Misconduct Prevention and Response Policy	Draft Date: 27 June 2025
Information Classification: Restricted	Page 5 of 7

A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of sexual assault to a Navitas employee or law enforcement will not be subject to code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the incident of the sexual assault.

8. Confidentiality Requirements

Ensuring confidentiality is a key principle in creating an environment and culture where survivors feel safe to disclose and seek support or accommodation (academic or other). Navitas is committed to ensuring such an environment and culture exists. As such, all members of the Navitas community who receive a disclosure of sexual misconduct or harassment, or who are involved in addressing or investigating it, must keep the matter confidential, except in accordance with the terms of this policy and associated procedures, in order to protect the rights of those involved, prevent an unjustified invasion of their personal privacy, and preserve the integrity of the investigation.

Further information regarding the storage of confidential files, and circumstances where confidential information may need to be shared with additional employees or external authorities is provided in the procedure accompanying this policy (Staff and Students).

9. Support Services for People Who Experience Sexual Misconduct

Navitas is committed to ensuring all persons affected by sexual misconduct or sexual misconduct, including Disclosers, Victims, Bystanders, Respondents and Alleged Perpetrators, are referred to appropriate support groups and services.

Further information regarding contact details for emergency and ongoing support and assistance for students and employees are provided in the procedure accompanying this policy (Staff and Students).

10. Intimate Relationships Between Employees and Students

In general, Navitas strictly prohibits personal relationships of a close personal or intimate nature between any employee and any student for whom the employee has responsibility or reasonably expects to have responsibility in future. Employees must not seek to establish close personal or intimate relationships with students for whom they have responsibility.

Further information and reporting requirements on extraneous circumstances requiring disclosure and additional arrangements is available in the *Staff-Student Relationships Policy*.

11. Use of Non-Disclosure Agreements or Non-Disparagement Agreements

Where required by legislation, Navitas businesses have prohibited the use of a Non-disclosure Agreements relating to sexual misconduct and harassment, unless requested by a Discloser.

12. Freedom of Speech

In applying this procedure, Navitas will have regard to, and place significant weight on, the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context or environment, including in premises and situations where educational services, events and debates take place.

Navitas will apply a rebuttable presumption to the effect that students being exposed to any of the following is unlikely to amount to harassment:

- the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures
- statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course.

13. Internal Reporting Requirements

Navitas businesses will compile annual reports on the rates and incidence of sexual misconduct for further review by the Executive Leadership Team and Governing Body.

Further information on the specific information to be compiled is provided in the Procedure accompanying this policy (Staff and Students).

14. Consultation with Student Bodies

Navitas must consult with students and with prescribed persons or prescribed classes of persons, if any, when it:

- first establishes this policy and accompanying procedure at a particular facility or workplace
- reviews this policy or procedure.

Further information on the specific consultation that must be undertaken is provided in the Procedure accompanying this policy (Staff and Students).

15. Review

This policy and accompanying procedure are to be reviewed at least every three years by the Director of People and Engagement, UPE.

Document Name: Sexual Misconduct Prevention and Response Policy	Draft Date: 27 June 2025
Information Classification: Restricted	Page 7 of 7