



Student Sexual Harassment and Misconduct Policy
Metanoia Institute

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Related policies
<ul style="list-style-type: none"> • Criminal Records Policy • Dual Relationship Policy • Fitness to Practise Policy and Procedure • Fitness to Study Policy and Procedure • Freedom of Speech Policy • Safeguarding Policy and Procedure • Staff-Student Relationship Policy • Student Code of Conduct • Student Disciplinary Procedure
External Reference
<ul style="list-style-type: none"> • Office for Students Condition of Registration E6 • Protection from Harassment Act 1997 • Equality Act 2010

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1. Purpose

- 1.1 The Metanoia Institute (hereafter ‘Metanoia Institute; ‘the Institute’; ‘Metanoia’) is committed to providing a safe learning and working environment for all students, staff and visitors. Metanoia Institute is committed to fostering a culture of zero-tolerance for any form of sexual harassment or misconduct.
- 1.2 Metanoia Institute is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.
- 1.3 To support the above commitments, this Policy outlines a clear sexual harassment and misconduct response framework for our students. This is in recognition of the negative impact that sexual misconduct can have on a person’s mental health, physical health and educational experience.
- 1.4 The framework outlined in this Policy aims to increase access to support resources and increase awareness of wider MI processes for further potential action to be taken.

2. Scope

- 2.1 This Policy covers sexual harassment and misconduct only. Information about other conduct matters can be found in the Metanoia Institute Student Code of Conduct.
- 2.2 This policy works in conjunction with other relevant policies which are:
 - Criminal Records Policy
 - Dual Relationship Policy
 - Fitness to Practise Policy and Procedure
 - Fitness to Study Policy and Procedure
 - Freedom of Speech Policy
 - Safeguarding Policy and Procedure
 - Staff-Student Relationship Policy
 - Student Code of Conduct
 - Student Disciplinary Procedure
- 2.3 This Policy has been informed by the Office for Students Condition of Registration E61; Protection from Harassment Act 1997² and the Equality Act 2010³.
- 2.4 This Policy applies to all students registered on any course of study at MI, including clinical courses, continuing professional development courses, workshops and short courses.
- 2.5 Students who experience or are experiencing sexual misconduct at an external placement should refer to the relevant policies at the location of their placement and may disclose the matter to Metanoia in order to receive support.
- 2.6 Any list contained in this Policy is only indicative and not exhaustive, unless stated otherwise.

¹ [Condition E6](#)

² [Protection from Harassment Act 1997](#)

³ [The Equality Act 2010](#) prohibits discrimination, harassment and victimisation in the workplace and wider society based on nine protected characteristics.

3. Definitions

- 3.1 A student is defined as an individual holding a student status on MI's student record system. This includes individuals registered on undergraduate, postgraduate taught and postgraduate research programmes, clinical courses, continuing professional development courses, short courses or workshops.
- 3.2 A staff member is defined as an individual engaging in work at MI. This applies to any employee holding any valid and active contract of employment with MI; any worker with a valid and active engagement agreement with MI (such as an agency worker or contractor).
- 3.3 Sexual Misconduct is defined as an unwanted or non-consensual act of a sexual nature, and/or any kind of unwanted, non-consensual sexual touching (within or outside a relationship)
- 3.3.1 Examples of sexual misconduct include but are not limited to: Grooming; Coercion; the promising of a reward for sexual access and sexual demands or threats; sexually explicit remarks; innuendos or banter; sexual insults, jokes, teasing or songs; wolf whistling, cat calling or making other offensive sexual noises; offensive comments about someone's dress, appearance, or private life, including their sexuality or gender identity; unwanted or inappropriate physical contact including touching, pinching, groping or smacking; unwanted requests to engage in or discuss sexual activity; lifting or removing clothing; stalking; using humour to cover or deflect where sexual misconduct has occurred; to display or distribution of pornographic or sexually explicit material.
- 3.4 Sexual Harassment is understood to be unwanted behaviour of a sexual nature which violates an individual's dignity and/or creates an intimidating, hostile, degrading, humiliating or offensive environment. It can be intentional or unintentional.
- 3.4.1 Examples of sexual harassment include but are not limited to: sexual comments, jokes or name calling; sharing graphic pictures, posters or photos of a sexual nature; suggestive looks, staring or leering; propositions and sexual advances; making promises in return for sexual favours; sexual gestures; intrusive questions about a person's private or sex life, and discussing your own sex life; sexual posts or contact on social media; spreading sexual rumours about a person; sending sexually explicit emails or text messages; unwelcome touching, hugging, massaging or kissing; criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications; and coercion.
- 3.5 Abuse of Power means a situation where a staff member exploits a position of power in relation to a student so as to apply pressure in a way which may result in the student doing something, or refraining from doing something, that they may not have otherwise done and/or could reasonably result in something that falls within the scope of an intimate personal relationship.
- 3.6 Intimate personal relationship involves one or more of the following elements: physical intimacy including sexual activity; romantic or emotional intimacy.

4. Staff-Student Relationships

- 4.1 Metanoia considers it central to the teaching and practice of counselling and psychotherapy that healthy boundaries are in place between staff and students to ensure a positive environment in which to work and study and to protect individuals who may be vulnerable.

- 4.2 Metanoia does not permit intimate personal relationships between any member of staff and a student. Due to the small nature of the institution and the regular need for staff to collaborate and cover different workloads, it is considered that any staff member could, in the course of their duties, be placed in a position of influence over the delivery of teaching or services to a student resulting in there being a risk for abuse of power.
- 4.3 The only exceptions to the above restriction against staff-student relationships is where the relationship pre-existed the staff member and/or the student joining Metanoia. Candidates for staff positions are required to disclose any existing relationship with a student. Similarly, the staff member and applicant student should disclose an existing relationship at the point of the student application. These requirements are to enable Metanoia to put into place provisions to protect against any perceptions of unfairness, bias or abuse of power. The nature of these provisions will depend upon the staff member's role in relation to the student's programme of study and the services they are likely to access.

5. Reporting

- 5.1 Reports of sexual harassment and misconduct can be made via the reporting form available on the Metanoia website.
- 5.2 Students may self-disclose any incident of sexual harassment or misconduct which they have experienced. Students may self-disclose incidents which have occurred to them on Metanoia premises or externally and regardless of whether other Metanoia students or staff were involved. This is to ensure that students who have experienced sexual harassment or misconduct are able to be offered appropriate support.
- 5.3 Students may report an incident which they witnessed involving a student and another student or staff member. Students should not report matters involving other students for which they only have second or third hand knowledge.
- 5.4 Students are encouraged to report incidents of sexual harassment or misconduct as soon as possible after the incident. There is no deadline by which incidents must be reported and students will always be offered support. However, it may be difficult or impossible for the Institute to investigate after substantial time has passed, particularly where possible witnesses or the alleged perpetrator have left the institution.
- 5.5 A report may be submitted for the purpose of seeking support only. It will normally be the decision of the reporter as to whether further action is taken. This choice will be respected as fully as possible. Metanoia reserves the right to take further action independently in circumstances where the information indicates a need to do so and there is sufficient detail to do so. Such an occurrence is rare and only where there is an urgent and legal basis to do so. A typical example where this may occur is for incidents of a safeguarding nature involving someone under age 18 and other similar legal requirements.
- 5.6 It is recognised that false allegations of sexual harassment or misconduct made against an individual can have a serious negative impact on their wellbeing, their studies, and/or careers. In the rare event that a matter reported through this policy is considered to be frivolous (unfounded or trivial) or malicious/vindictive the reporter may be subject to disciplinary action.
- 5.7 Information submitted anonymously does help Metanoia to understand the experience of our students. They provide information on the range, frequency and sometimes location of incidents. There may be patterns of incidents that emerge that provide insight into the nature of proactive work that may be required.

- 5.8 Metanoia is limited on what steps can be taken on anonymous reports (if any). The information provided is always recorded. However, the ability for support and/or for an investigation are highly likely to be impeded without the reporter's details.
- 5.9 Metanoia reserves the right to pursue anonymous reports where the information indicates a need to do so and if there is sufficient detail. Such an occurrence is rare and only where there is an urgent concern about the safety or wellbeing of an individual(s).

6. Next Steps Following Reporting

- 6.1 Students making a non-anonymous report will be contacted by a member of the Metanoia safeguarding team. The purpose of this contact will be firstly, to provide support and ensure the student is signposted to appropriate medical and/or wellbeing assistance and secondly to provide advice to the student about the possible actions open to them should they wish to take the matter forward either internally, for incidents involving other students or staff, and/or externally, such as reporting the matter to the Police.
- 6.2 The student making the report, will as far as possible, determine what, if any, further actions may be taken. Metanoia reserves the right to take further action independently in circumstances where the information indicates a need to do so and there is sufficient detail to do so. Such an occurrence is rare and only where there is an urgent and legal basis to do so. A typical example where this may occur is for incidents of a safeguarding nature involving someone under the age of 18 and other similar legal requirements.
- 6.3 Where a reported incident involves another student as the alleged perpetrator, the reporter may choose to also make a Report of Conduct Cause for Concern as set out in the Metanoia's Student Code of Conduct. Under the Student Code of Conduct, allegations of sexual harassment and misconduct are likely to be referred to the Student Disciplinary Procedure. The Student Disciplinary Procedure sets out the steps to be followed to try to resolve the matter, investigate a reported incident and the actions which may be taken by the Institute in the event of a student being found to have breached the Student Code of Conduct.
- 6.4 Where a reported incident involves a member of Metanoia staff as the alleged perpetrator, the reporter may choose to make a formal complaint. Where such a complaint is received, Registry will inform HR. Under HR, an investigation will be conducted and, should there be reasonable belief by the Investigating Officer/s that there is a case to answer, the matter will be referred to a disciplinary hearing, as per our Staff Disciplinary Policy.
- 6.5 Incidents which are referred to the Metanoia student or HR procedures for redress can be investigated as breaches of Metanoia's Codes of Conduct, Policies and Procedures only.

7. Monitoring and oversight

- 7.1 Metanoia recognises that discussing experiences of sexual harassment and misconduct can be incredibly personal and distressing, for this reason, individual personal details will be held in confidence, within the limits of the law, and in compliance with relevant data protection legislation.
- 7.2 The Metanoia Safeguarding Team will produce an annual report on all of its activities and provide anonymised general statistical information about the number and nature of reports made to it. Care will be taken to ensure that the data included in the report does

not enable the identification of any individuals. This report will be submitted annually to the Executive Committee.