

SEXUAL MISCONDUCT AND
SEXUAL ASSAULT INVOLVING STUDENTS:
PROCEDURE FOR REPORTING AND INVESTIGATION

CONTENTS

SECTION ONE: CONTEXT	3
1. This Procedure	3
2. Our Commitment	3
3. Application and responsibility	4
4. Other Policies and Procedures	4
5. Our support for you	4
6. Confidentiality statement	5
7. Key Terms	6
SECTION TWO: PROCEDURE	8
1. Telling us	8
2. Help available to you	8
3. Taking further action	9
4. Report	9
5. Initial Review Meeting (IRM)	10
6. Investigation	11
7. Meetings	11
8. Witnesses, evidence and notes	11
9. Finding(s)	12
10. Sanctions	13
11. Reviews	13
12. Office of the Independent Adjudicator for Higher Education	14
APPENDIX 1: Police Investigations and Judicial Proceedings	15
APPENDIX 2: Initial Review Meeting Terms of Reference	16
APPENDIX 3: Useful Contacts	18

SECTION ONE: CONTEXT

1. This Procedure

- 1.1. This procedure sets out how GBS will deal with incidents of sexual misconduct, sexual assault or sexual harassment involving student and staff members of GBS community. It should be read in conjunction with the *GBS Policy on Harassment, Sexual Misconduct and Sexual Assault* and the *Policy on Consensual Relationships*.

⇒ **For students, If you have suffered a sexual assault, sexual misconduct, or sexual harassment, or if you have concerns about a person or a situation, please e-mail E6@globalbanking.ac.uk or use the online reporting tool ([SpeakUp](#)) or raise the matter with member of academic or professional support staff. *This may include a Student Success Tutor (SST), lecturer, Level Lead, or a member of the Student Support and Wellbeing team—such as the Head of Student Welfare, the Safeguarding and Wellbeing Coordinator, or the Student Conduct Manager.***

⇒ **For staff, please use the online reporting tool ([SpeakUp](#)) or speak to *Senior Employee Relations Manager, HR officers and/or the Head of HR.***

- 1.2. The rest of this procedure will explain how to raise a concern, what GBS will do, and what help is available for those involved. To jump straight to the detailed process, [click here](#) or see the link on the website. Please note that incidents involving members of staff only will be investigated under the GBS Anti-harassment and Anti-bullying Policy and Procedure: Staff. All other incidents will be investigated in line with this Procedure.
- 1.3. If you have difficulty understanding the procedure, or need advice or support, please contact a member of Student Support and Wellbeing team, Head of Student Welfare or, alternatively, the Dean of Students.

2. Our Commitment

- 2.1. GBS is committed to providing a positive and safe environment for all students and staff to study, live and work.
- 2.2. As a private education provider, and as a supportive community:
- We will not tolerate any form of sexual assault or sexual misconduct.
 - We will promote an open culture and encourage reporting of incidents and concerns.
 - We will respond to all reported incidents in a supportive and constructive manner, investigating as appropriate, and applying sanctions where necessary.
- 2.2.1. We take our duty of care to our students and staff very seriously. We believe that no person should suffer the effects of sexual assault or sexual misconduct alone and will ensure that there is appropriate specialist support available, including free and accessible counselling for all individuals involved.
- 2.3. Full details of GBS 's expectations of members of its community are set out in the *Policy on Harassment, Sexual Misconduct and Sexual Assault*.

3. Application and responsibility

- 3.1. This procedure is the responsibility of the Dean of Students, Head of HR and the Deputy CEO.
- 3.2. The Deputy CEO will ensure that this process is available to all members of our community, and that reports are reviewed and investigated in a timely manner.
- 3.3. If the investigation finds that any member of our community has breached the expectations set out in our policies or elsewhere, that finding will be passed for disciplinary action:
 - 3.3.1. for students, action will be taken by Dean of Students under the Student Disciplinary Policy and *Procedures*; and
 - 3.3.2. for staff, action will be taken by the Head of Human Resources under GBS 's Staff Disciplinary Procedure.

4. Other Policies and Procedures

- 4.1. This procedure may overlap with other areas of responsibility:
 - 4.1.1. If a member of GBS staff is involved in an incident, then the Dean of Students, and the Head of Student Welfare, will retain management of the process, but will work with the Head of HR and Senior Employee Relations Manager to ensure proper interaction between this process and our Human Resources (HR) policies.
 - 4.1.2. If a report indicates an emerging safeguarding issue, advice may be sought from external agencies such as the safeguarding lead internally, the safeguarding lead for the Police and the Safeguarding Adults Board (SAB) for the relevant GBS location. Direct contact with the Police may be made if there is a significant safeguarding concern.
 - 4.1.3. If a reported incident does not involve any element of sexual misconduct, then this process will not apply. Other GBS policies, such as the *Anti Bullying and Anti-Harassment Procedure for students and staff*, may apply depending on the circumstances.
 - 4.1.4. If a reported incident does not involve a GBS student, this process will not apply. Other processes, such as the Staff Disciplinary Policy, may apply.

Where a student is also a member of a partner university, that partner may be informed and liaised with on a case-by-case basis if a formal investigation is initiated.

5. Our support for you

Our sexual violence support service supports students who have experienced any form of sexual misconduct, regardless of when or where it happened. Sexual misconduct is any kind of unwanted sexual activity, which does not always include physical contact.

Our approach:

- We will believe you and be led by you. You will be in control of what you do or don't do next.
- We work in a trauma-informed way, to ensure you are being supported without having to relive your experiences.
- We provide a safe space where you will be listened to without judgement.
- We treat everyone as an individual and recognise that life experiences and identity can impact on your experience of sexual violence.

- We work under the Confidentiality Statement (below), which means there are times we may be required to share information outside of the service – if there was a significant risk to you or another student, for example. We will always discuss this with you.

We will:

- Discuss immediate safety options with you and help organise these if needed
- Help you navigate options for specialist support, including making referrals, where necessary. This might include support particular to your needs or identity, such as LGBTQ+ support or support for male survivors.
- Talk through resources and methods to help you understand and process your responses to what has happened.
- Help liaise with your school if your studies are being impacted, without disclosing details of your experience.
- Support you throughout the reporting process, if you choose to make a formal report through to us.
- Liaise with your Independent Sexual Violence Adviser if you have made a report through the police.

6. Confidentiality statement

What you can expect from all services:

1. Our student-facing services are committed to treating you with dignity and respect. This includes handling any information you provide to us sensitively.
2. We work within the terms of the Student Code of Conduct.
3. Information is available to colleagues within the same service to effectively provide support. Information may be passed between services, but only if relevant to set up support.
4. Some information is shared during the application process. This is to ensure support will be in place throughout this process and when you join GBS.

Sharing information with third parties:

5. We work with professionals outside GBS, such as NHS mental health teams and agencies involved in your support or funding. They have their own confidentiality policies. We only share relevant information to support you, and we will tell you in advance unless we have significant welfare concerns. In some situations, these external teams or agencies may contact you directly.
6. We do not agree to requests for information from parents, family members, guardians or other third parties (unless covered by Data Protection exemption, for example, requests from the police). We will not confirm or deny whether you are a student unless you have given explicit (clearly stated) permission in advance.
7. We may need to share information where the law requires it, such as to detect and prevent terrorism. We may also need to share information where not doing so might affect the prevention or detection of crime.
8. All GBS members of staff are required to report safeguarding concerns to the relevant and responsible senior member of staff. Senior members of staff may report to external organisations, such as the police or local council.

Storage of information:

9. We follow the requirements of the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018.
10. Records are kept and stored securely, and only accessed by relevant staff when required.
11. Information may be stored on systems used by other services, but access will be limited.

7. Key Terms

7.1. **Sexual misconduct** is any unwanted conduct of a sexual nature. It can occur in person, online (for example, by email, messages or on social media), by letter, telephone or text, or otherwise. Sexual misconduct includes, but is not limited to:

- **Rape**, i.e. sex without consent, as defined within the Sexual Offences Act 2003.
 - 7.1.1. **Sexual assault**: sexual touching of another person without their consent; or engaging, or attempting to engage, in a sexual act with another individual without consent; or any unwanted physical sexual advances.
- **Sexual harassment**: unwanted conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others, including making unwanted remarks of a sexual nature.
- Exposing or inappropriately showing intimate parts of the body to another person, in person or through online means.
- Recording intrusive, intimate or explicit images or recordings of a person without their consent.
- Sharing intrusive, intimate or explicit images or recordings with third parties without consent.
- Implied or open threats, intimidation, or promising payment or benefits in kind to gain sexual favours or gratification.
- Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to other people, for example, those who have experienced sexual violence, such as inappropriately themed social events or initiations.

7.2. **Consent** is where a person willingly agrees to something, and that person has both the freedom and the capacity to make their own decision. In particular:

- Silence, or a failure to say no or otherwise resist, is not consent.
- Consent cannot be assumed on the basis of a previous sexual experience or previously given consent. Each new sexual act requires a re-confirmation of consent.
- Once given, consent may be withdrawn at any time, including during a sexual act.
- A person cannot give consent if they do not have capacity to consent. A person may not have capacity to consent due to their age, or due to a mental or developmental disability, or because of intoxication (e.g. being drunk or on drugs). A person that is asleep, not fully conscious (e.g. unconscious, semi-conscious, or in a state of intermittent consciousness), or in any other state of unawareness does not have capacity to consent.
- A person's consent is not valid if they have been coerced, forced, threatened, intimidated, misled or pressured into doing something, expressly or otherwise. Lying to a person about a sexual act, for example by saying you will wear protection and then failing to do so, may also void consent.

7.2.1. An imbalance of power can undermine consent. Given the inherent imbalance of power in the academic context, GBS strongly discourages intimate relationships

of any kind between staff and students. Further information on relationships between members of GBS can be found in GBS's *Policy on Consensual Relationships*.

- 7.3. A **Report** is where a person tells a member of staff of GBS about an incident of sexual misconduct for the purpose of initiating a formal investigation under this procedure.
- 7.4. A **Disclosure** is where a person shares information with a member of GBS community about an incident or experience of sexual misconduct, but does not wish to make a formal Report, or has not decided whether to make a formal Report.
- 7.5. A **Reporting Party** is the person that makes a Report and would normally be the person who suffered the impact of the alleged sexual misconduct.
- 7.6. A **Responding Party** is a person who is alleged to have acted in breach of our policies and/or expectations and is therefore required to respond to those allegations as part of our investigation.
- 7.7. In this procedure, we use the words '**allegation**' or '**alleged**' to refer to elements which have been reported as factual, but which GBS has not, or has not yet, been able to confirm. These words should not be taken to imply doubt, or to undermine a reported experience. Equally, until an allegation is confirmed, no action will be taken against the Responding Party, other than interim protective action, such as contact management between both parties, where deemed necessary by the Dean of Students.
- 7.8. In this procedure, reference to something being done by a named role includes it being done by a duly appointed deputy of that role. A reference to action by a group includes action authorised by the Chair of that group outside an ordinary meeting as 'Chair's action'.

SECTION TWO: PROCEDURE



1. Telling us

- 1.1. If you have suffered or witnessed a sexual assault, sexual misconduct, or harassment, or if you have concerns about a person or a situation, please raise the matter with any of the following:
- 1.2. For Students use our: [Safeguarding Concern Form](#) or the online reporting tool or e-mail us at: E6@globalbanking.ac.uk
- 1.3. **Welfare Team appointments – guidance & advice** (daytime, evenings & Saturdays), welfare@globalbanking.ac.uk
- 1.4. **Student Health Drop-ins** (daily, term time)
- 1.5. **Dean of Students / Head of Student Welfare/ Safeguarding Coordinator [Abiola Giwa]** safeguarding@globalbanking.ac.uk or E6@globalbanking.ac.uk
- 1.6. We know that telling anyone about a sexual assault or other sexual misconduct can be extremely difficult. You may feel more comfortable speaking with another member of staff, or writing down what you want to say, or bringing someone with you for support. We will do whatever we can to help you speak to us in whatever manner is most helpful to you.
- 1.7. If you wish, you can tell us about an incident anonymously, or through a trusted third party.
- 1.8. In an emergency, you should call the Police on the emergency line, 999.

2. Help available to you

- 2.1. If you tell us that you have been the victim of sexual misconduct, a sexual assault or sexual harassment, we will first offer you support. Full details of what is available are set out in the 'Help and Support after Sexual Assault' booklet which can be downloaded from this page: [Link](#)
- 2.2. If you are the Responding Party, details of the support available are set out in the 'Help and Support if you are Accused of Sexual Assault' booklet, which can be downloaded from this page: [Link](#)
- 2.3. A Responding Party will also be offered a named support contact within the Student Support & Wellbeing team. That named support will be one of our SVMLOs.
- 2.4. Staff will help you understand what support is available and will help you to access the support you need. Depending on who you spoke to, the member of staff may need to direct you to the Student Support and Wellbeing Team so that they can support you properly and safely.

3. Taking further action

- 3.1. We will discuss with you what action you want GBS to take. We will provide you with the time, advice and support you need to make your decision. It is up to you whether you want to take things further.
- 3.2. You might not want us to take any formal action. This might be, for example, because you have told us about an incident that took place a long time ago or one that has already been dealt with elsewhere. If so, we will record what you have told us as a 'disclosure' and agree with you a plan for ongoing support. We will not take further action unless you change your mind, or if we decide we need to act to protect you or other members of our community.
- 3.3. If you do want GBS to take action to investigate, the Safeguarding contact and the well-being team can support you to make a formal report via the SASM policy. This process will require consent from you, to allow us to discuss the alleged misconduct with those involved. This will allow GBS to act regarding management of contact and behaviours and also apply disciplinary action if there has been a breach of GBS regulations, policies or expectations.
- 3.4. Depending on what has happened, you may also want to report the incident to the Police. We will help you to do so, and if you wish, we can make the report on your behalf (known as a third-party report). For more information on reporting to the police, please see Appendix 1.



4. Report

- 4.1. To make a formal report, you must set out full details of what has happened in writing either via the [online reporting](#) tool or via E6@globalbanking.ac.uk or welfare@globalbanking.ac.uk. If you need help, the Wellbeing Team can provide support.
- 4.2. You will need to identify the Responding Party (the person that you believe is in breach of our Policies). You will also be identified as the Reporting Party, and your identity will be disclosed to the Responding Party.
- 4.3. If you do not use the online reporting tool, the report can also be sent by post to GBS or email safeguarding@globalbanking.ac.uk or E6@globalbanking.ac.uk or handed to a **member of the Student Wellbeing team—such as the Head of Student Welfare, the Safeguarding and Wellbeing Coordinator, or the Student Conduct Manager.**

When a report is received, the Student Wellbeing team will notify the Dean of Students. The Dean of Students will appoint a 'lead advisor' for the case.
- 4.4. The Lead Adviser will meet with you as the Reporting Party to confirm the details of what you have reported and to explain the procedure that will be followed. A note of this initial meeting will be sent to you for confirmation.

A named Student Wellbeing team member will also be made available to support and advise the Responding Party.

- 4.5. When the report has been confirmed, the Dean of Students or the appropriate authority will organise an initial review meeting (IRM) as soon as practicable. Pending the IRM, the Dean of Students or the appropriate authority will ensure that the students involved receive appropriate pastoral and academic support, and that the health, safety and wellbeing of GBS community is safeguarded. If there is an immediate danger, the Dean of Students or an appropriate authority may take immediate protective action as required under the Safeguarding Policy or otherwise as is deemed necessary.

It is common practice for the Dean of Students to impose contact management arrangements on both the Reporting and Responding Parties to minimise contact between both parties as far as is practicable. The approach will always prioritise involved parties' academic commitments, followed by the social opportunities available as part of the wider student experience. It is common practice for both the Reporting and Responding parties to be given week-on, week-off, access to venues to ensure equitable opportunities are available whilst a report is being managed/investigated

In addition, consideration will be given to practicalities of attendance and participation in key events.

5. Initial Review Meeting (IRM)

- 5.1. The purpose of an IRM is to determine whether the Report is one that falls within the scope of this procedure. The IRM does not investigate the Report itself or gather or review evidence. It determines what GBS will do next, and in particular, what support can be offered to those involved.

If a report has been made to the Police, it will not be necessary for an IRM to take place, as the primary role of GBS will be to provide support to both parties, ensure alignment with any possible Police bail conditions and impose contact management arrangements on both parties whilst an investigation takes place.

- 5.2. If applicable, the IRM will assess support needs, consider how to protect the interests of all parties and members of GBS community who may be affected by the case, and to agree next steps.
- 5.3. The IRM will be chaired by the Dean of Students or a nominated authority in accordance with the terms of reference set out at Appendix 2.
- 5.4. If the IRM determines that the Report is not suitable for investigation under this procedure (for example, if the incident took place a very long time ago) the Dean of Students will provide the Reporting Party with written reasons for the determination and information about their right to request a review of that determination (as set out at section 11). The Dean of Students will also advise the Reporting Party of other action that may be open to them and offer ongoing support.



6. Investigation

- 6.1. If the IRM determines that the Report should be investigated by GBS under this procedure, the Dean of Students will inform the Reporting Party and the Responding Party and will appoint an investigator.
- 6.2. GBS has a duty of care to the Responding Party as it does to the Reporting Party. As this may be the first time that the Responding Party is aware of the allegations, the Dean of Students will ensure that the process and the support available is fully explained.
- 6.3. All parties will normally be asked to keep the details of the allegations and the investigation confidential while it is in progress.
- 6.4. All parties must co-operate fully and openly with the investigation process. Failure to do so can, in itself, be a breach of GBS's *Policy on Sexual Misconduct and Sexual Assault*.
- 6.5. The Investigator's role is to review the allegations against the applicable GBS policies, and conduct an appropriate investigation, reviewing records and meeting with the parties and with any witnesses as they deem appropriate.
- 6.6. While the allegations may specify certain alleged breaches, the Investigator should review the alleged behaviour against the expectation set out in GBS policies and determine for themselves what breaches might have occurred.
- 6.7. The Investigator will normally meet with the Reporting Party, the Responding Party, and any witnesses, and will review any evidence provided. The meetings will normally be held in that order.
- 6.8. The Investigator will come to a conclusion based on their assessment of the evidence and circumstances, and based on the balance of probabilities. A decision on 'the balance of probabilities' means that the investigator thinks that it is more likely that the thing happened than that it did not.
- 6.9. Based on the conclusion made the Investigator will determine what, if any, breaches of GBS policy or policies have occurred. The Investigator does not determine what, if any, sanctions should be applied.

7. Meetings

- 7.1. The purpose of an investigation meeting is to provide each party with a full and fair opportunity to explain or present their version of events. Investigation meetings will be conducted with sensitivity and with opportunities for breaks should they be required.
- 7.2. All students involved in the investigation process have the right to attend any meetings accompanied for support by a member of GBS community such as a member of staff, Students' representative or a fellow student. The accompanier is there to provide moral support and may not be a legal representative or advocate. The student is expected to speak on their own behalf; there is no automatic right for an accompanier to speak on the student's behalf, and it is at GBS's discretion as to whether the accompanier is permitted to address the meeting. Students will be advised of their right to be accompanied.

8. Witnesses, evidence and notes

- 8.1. The Reporting Party and Responding Party may identify witnesses for the incident. Witnesses will be required to keep the details of the investigation confidential. Witnesses (who must be

willing) will be required to attend a meeting with the Investigator and will be asked to present their version of events.

- 8.2. It is at the discretion of the Investigator whether the witnesses' statements will be provided to the Reporting and Responding Parties; however, it should be noted that witnesses will not normally be provided with any investigation materials.
- 8.3. Any and all relevant evidence must be provided at the time of the investigation. It is at the discretion of the Investigator whether evidence will be shared with the Reporting Party and the Responding Party. Evidence will normally be shared where it is pertinent to a specific line of investigation. The exception to this would be via a review, see section Reviews (11.3.3).
- 8.4. In all formal investigatory meetings, notes will be made and the interviewee will be asked to confirm that it is an accurate summary of the discussion. The interviewee may make any written comments about any section of the notes that they do not agree with. Copies of the notes, with any comments, will be retained by the interviewee and the Investigator; these notes will not normally be shared with the other party.
- 8.5. The Investigator may hold additional meetings or consult with additional parties as necessary to obtain relevant information and evidence.



9. Finding(s)

- 9.1. The Investigator will determine, on the balance of probabilities, whether the evidence available indicates one or more breaches of GBS policy or policies.
- 9.2. Where there are a number of possible breaches, the Investigator may determine that some are supported and some are not.
- 9.3. The Investigator will record their decision(s), and the reasons for it or them, in writing, in an investigation report which will be shared with the Reporting Party and the Responding Party.
- 9.4. If the Investigator determines that no breaches of GBS policy or expectations have taken place, then no further action will be taken. The Reporting Party may, if they wish, ask for a review of that decision as set out at section 11.
- 9.5. If the Investigator determines that breaches have occurred, their investigation report will be passed to the Dean of Students, Deputy CEO and/or the Head of HR to be dealt with in accordance with GBS 's applicable disciplinary procedures. This shall be considered in partnership with the Safeguarding Officer/Coordinator/Lead.
- 9.6. Whatever the findings, reasonable support will continue to be offered to all involved.



10. Sanctions

- 10.1. Sanctions will be determined in accordance with GBS's applicable disciplinary procedures for students and staff.
- 10.2. Such sanctions might include written warnings, a ban from campus locations, or, in certain cases, expulsion or dismissal from GBS.
- 10.3. Depending on the investigation findings, the matter may also be referred for review under GBS's Fitness to Study/Fitness to Practise procedures or (for staff) as a capability issue. The findings may also be reported to applicable professional bodies, and/or referred as a safeguarding matter where relevant.

11. Reviews

- 11.1. If the IRM does not recommend that a report be investigated, the Reporting Party may ask for a review of that decision.
- 11.2. Either the Reporting Party or the Responding Party may ask for a review of the determination(s) of the Investigator.
- 11.3. Reviews may only be requested on the grounds that:
 - 11.3.1. The IRM did not follow appropriate procedure in reviewing the Report, and that this had a material effect on its decision not to recommend investigation, making it unsound;
 - 11.3.2. The Investigator did not follow appropriate procedure in investigating the Report, and that this had a material effect on the investigation, making its conclusion(s) unsound; and/or
 - 11.3.3. Substantial and relevant new information has come to light, which the Reporting Party or Responding Party was unable to provide previously for a good reason, and this new information is likely to have a material effect on the investigation, making its conclusion(s) unsound.
- 11.4. A review must be requested in writing to the Deputy CEO/Dean of Students/ Head of HR, within 5 working days of notification of the decision to be reviewed. The review must state on what grounds a review is sought and provide full evidence in support.
- 11.5. The Deputy CEO/Dean of Students/ Head of HR will identify a suitable senior officer, independent of the case, to undertake the review (the Reviewer). The Reviewer will not re-investigate the report but will consider the specific alleged procedural issues or the new information as applicable.
- 11.6. If both parties submit a review request a single Reviewer will normally review both requests.

- 11.7. The request will be reviewed on the basis of the documentation provided with the review request. The Reviewer will have access to the evidence and findings in the investigation (as applicable) and may seek further information if necessary.
- 11.8. During the review period any sanctions in place will normally remain in force.
- 11.9. If the Reviewer decides the review is upheld, they may decide either:
- 11.9.1. to refer the case back to the Investigator for continued investigation in light of new evidence, or in a procedurally correct manner; or
 - 11.9.2. to require a new investigation by a different investigator; or
 - 11.9.3. to specify appropriate recommendations to annul, amend or confirm the imposed sanctions (with reference where necessary to such other policies and procedures as have been engaged, for example, the disciplinary policies or the fitness to study procedures).
- 11.10. If the Reviewer decides that the case has been handled in material accordance with process and/or that any defects in process or new evidence would not have affected the outcome, the review request will be dismissed.
- 11.11. If a request for review is accepted, all parties will be informed of the review and the planned timeline. All parties will be informed of the outcome of the review once determined. In all instances the decision reached by the Reviewer is final.
- 11.12. Where decisions are taken under a different GBS policy, or under Fitness to Study/Fitness to Practise procedures, they may be reviewed in accordance with the terms of the relevant policy.

12. Office of the Independent Adjudicator for Higher Education

- 12.1. GBS is part of the Scheme provided by the Office of the Independent Adjudicator (the OIA) (<https://www.oiahe.org.uk/students/>). The OIA will provide a final opportunity for students whose complaint may not have been resolved to their satisfaction, through GBS's regulatory procedures.
- 12.2. You normally need to have completed all internal procedures before you approach the OIA. We will send you a 'Completion of Procedures Letter' when there are no further steps to be taken internally. If the matter is not upheld, we will issue a Completion of Procedures Letter automatically. If the matter is upheld, or partly upheld, you may ask for a Completion of Procedures Letter from the Director of Quality and Standards. More information about this process is available at: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

APPENDIX 1: Police Investigations and Judicial Proceedings

Police investigations

In some cases, circumstances reported under this procedure may suggest that a crime has been committed. In these cases, GBS will help you to make a report to the Police if you wish to do so.

While a police investigation is ongoing GBS will pause its own investigation so as not to cause any impediment to the criminal investigation process, other than taking any supportive and necessary precautionary measures (e.g. imposing contact management arrangements). This may cause a delay to GBS's process.

GBS will seek to work with the Police when a criminal investigation is being carried out involving an allegation of sexual misconduct against a student or staff member. In all such cases GBS will ensure that any disclosure of information complies with current data protection legislation and due police procedure.

Once the police process is complete, or has advanced to an appropriate point, GBS process will recommence as appropriate.

GBS process and the Police processes are very different.

A police investigation is undertaken to find evidence of a crime. The police and the Crown Prosecution Service (CPS) operate to a high standard of evidence. In order to gain a conviction, a crime must be proven 'beyond reasonable doubt'.

A decision by the police or CPS (or other law enforcement agency) to take no further action in relation to a criminal matter, not to prosecute, or to accept a plea bargain, does not mean that a crime did not occur or that the original Report was false. It also does not mean that the Reporting Party has made a vexatious or malicious report, and it does not imply that GBS process will stop.

GBS investigation process is undertaken to determine whether a breach of our policies or expectations has taken place. The process is contractual, and it operates on the 'balance of probabilities'. This is a lower standard of proof than the criminal standard. This means that where the police determine that the evidence is insufficient to prove a crime, GBS Investigator may decide that the same evidence is sufficient to conclude that a breach of our policies has occurred.

Judicial proceedings

Where a student is convicted of a criminal offence, or accepts a caution, in relation to behaviour that falls within the scope of GBS's *Policy on Sexual Misconduct and Sexual Assault*, this will normally be taken as conclusive evidence that the behaviour took place. This evidence will be taken into account by the Investigator in determining whether any breaches of GBS policy have taken place.

Being convicted of a criminal offence, or accepting a caution, can lead to disciplinary action in its own right under GBS's *Academic Regulations - Section 1 Part 12, Procedures for Disciplinary Action Against Students*. It may also lead to fitness to study/practice procedures, affect a student's ability to progress to an award or breach applicable professional standards.

APPENDIX 2: Initial Review Meeting Terms of Reference

Purpose of the IRM

The purpose of an IRM is to consider a Report, assess support needs, consider how to protect the interests of all parties and members of GBS community who may be affected by the case, and to agree next steps. The Report itself will not be investigated at the IRM.

Membership

The IRM will be led by the Dean of Students. The named Student Wellbeing support contact for involved parties may also be asked to attend.

In addition, consideration will be given to the inclusion of other members of staff such as:

- The SST's or Senior SST's or Faculty managers to the student(s) involved
- The Dean/Head of the relevant Academic Department(s)
- The Head of HR or Senior ER manager

GBS may also invite external stakeholders who are actively involved in supporting the student/s affected or who can contribute to the purpose of the IRM. This may include, but is not limited to, representatives from the local Police Safeguarding Team.

Activity of the IRM

The IRM will:

- Consider the academic, welfare and support needs of the student(s) involved and of any other members of GBS community directly involved in the Report and identify any actions required to ensure that those needs are met.
- Assess the current risk in order to determine whether any precautionary measures need to be put in place to:
 - ensure that a full and proper investigation can be carried out (either by the Police or University);
 - reasonably ensure the safety and wellbeing of those involved during an investigation carried out by the police and/or University; and
 - ensure the safety and wellbeing of GBS community.
- Determine whether the Report should be investigated under the *Sexual Misconduct and Sexual Assault: Procedure for Reporting and Investigation*.

Precautionary measures

Precautionary measures may include:

- Imposing conditions on those persons involved (for example, requiring them not to contact certain witnesses or requiring them to move accommodation or refrain from going to certain places within GBS at certain times of the day).
- Advising those involved of conditions to ensure their safety.
- Suspending the Responding Party from GBS.
- Identify the members of staff within GBS with responsibility for supporting those involved and, where appropriate, informing them of the outcome of the IRM.

- Where required, identifying members of staff within GBS with responsibility for supporting any witnesses and/or the person who received the initial disclosure.
- Ensure that arrangements are in place to maintain confidentiality as appropriate.
- Review the involvement of external agencies (e.g. the Police).
- Decide/make recommendations about what the next steps should be and determine how to carry forward the decisions and/or recommendations that are made.
- Consider any other actions relevant to the alleged incident.

Actions arising out of the IRM

The IRM will determine whether the alleged incident should be investigated under this procedure.

Further actions arising out of the IRM may include (but are not limited to):

- The provision of further or different support to the students involved (and members of staff when relevant). The support measures may relate to academic, housing, finance, health and wellbeing matters.
- The imposition of precautionary measures pending the outcome of a criminal and/or GBS investigation process.
- A recommendation to the CEO and Head of HR, that a suspension from GBS be imposed on individual(s) pending the outcome of criminal investigations/proceedings and/or internal investigations/disciplinary proceedings.
- Appropriate communication with the parties involved.
- Collection of further information necessary for ongoing management of the situation.
- Setting requirements for those involved in the ongoing process.

The Dean of Students (or nominated deputy) will be responsible for ensuring that any decisions or recommendations made at the IRM are recorded and acted upon.

APPENDIX 3: Useful Contacts

Key external contacts

Ambulance	Emergency: 999 Non-Emergency: 111
Police (The Police have 24-hour access to sexual assault referral centres)	Emergency: 999 Non-Emergency: 111

GBS first points of contact

Office hours (Mon to Fri 09.00 - 17.30)

Sexual Violence and Misconduct Liaison Officers (SVMLOs) E6@globalbanking.ac.uk		
Welfare Team	welfare@globalbanking.ac.uk	
Melissa Wilby	Dean of Students	mwilby@globalbanking.ac.uk
Amanda Bruce – Designate Safeguarding Lead (GBS)	Apprenticeship Manager	abruce@globalbanking.ac.uk +44 121 281 5281

GBS contacts

GBS Emergency Phone Numbers

Birmingham – Norfolk House	07939 293998	0121 281 2790
Birmingham – Brindleyplace	07495 956638	0121 818 0356
Leeds – Wellington Place	07947 949097	
Leeds – St George House	07948 412454	
London – Bow Road	07948 412502	020 4566 6667
London – Greenford	07498 412431	
London – Republic	07498 412433	020 8142 8224
Manchester - Universal	07498 412522	

Non-GBS points of contact

Kathryn Wills - MetaGedu - Designated Safeguarding Lead (DSL)	07793 822631
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Steve Barker - MetaGedu - Designated Safeguarding Lead (DSL)	07858 236375
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Sam Northwood - MetaGedu - Designated Safeguarding Lead	safeguarding@metagedu.io
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Rape Crisis	0115 900 3560
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The Survivors Network	https://survivorsnetwork.org.uk/
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Victim Support	0845 30 30 900
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National Domestic Violence Helpline (24-hour freephone)	0808 2000 247 https://www.nationaldahelpline.org.uk/
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NSPCC (National Society for the Prevention of Cruelty to Children)	 0808 800 5000  nspcc.org.uk	Offers safeguarding advice and support for young people and professionals.
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Childline	 0800 1111  childline.org.uk	Free, private and confidential service for under 19s to talk about any issue.
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Samaritans	 116 123 (24/7)  samaritans.org	Mental health and emotional support for anyone in distress.
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Mind	 0300 123 3393  mind.org.uk	Mental health charity offering advice and support for mental wellbeing.
The Mix	 0808 808 4994  themix.org.uk	Support for under 25s dealing with mental health, money, homelessness, relationships, etc.
CEOP (Child Exploitation and Online Protection)	 ceop.police.uk	For reporting online grooming or exploitation.
Barnardo's	 barnardos.org.uk	Provides targeted support to children, young people, and families in need.
Crimestoppers	 0800 555 111  crimestoppers-uk.org	Anonymous crime reporting, including safeguarding-related incidents.
Stop It Now!	 0808 1000 900  stopitnow.org.uk	Help for anyone worried about child sexual abuse, including self-help.
Victim Support	 0808 168 9111  victimsupport.org.uk	Help for those affected by crime or traumatic events.
Respect UK	 0808 802 4040  respect.uk.net	For anyone experiencing or concerned about domestic abuse