

Sexual Harassment and Sexual Misconduct Policy

Wilkes Academy of Performing Arts

Policy Statement

Wilkes academy of Performing Arts is committed to creating a safe, inclusive, and respectful environment for all students, staff, faculty, and visitors. The College has a zero-tolerance approach to all forms of sexual harassment and sexual misconduct. We uphold the right of every individual to learn, teach, and work free from inappropriate, unwanted, or abusive sexual behaviour.

This policy sets out our expectations, definitions, procedures, and support mechanisms, in line with UK legislation and best practice in the higher education and performing arts sectors.

Legal and Regulatory Framework

This policy complies with and is informed by the following UK legislation and guidance:

- Equality Act 2010 – protects individuals from discrimination, harassment, and victimisation on the grounds of protected characteristics, including sex, sexual orientation, and gender reassignment.
 - Sexual Offences Act 2003 – defines criminal sexual offences, including rape, assault by penetration, sexual assault, and other acts of sexual misconduct.
 - Human Rights Act 1998 – protects individuals' rights to privacy, dignity, and security.
 - Education (No. 2) Act 1986 – places a duty on institutions to ensure freedom of speech within the law and a safe learning environment.
 - Higher Education (Freedom of Speech) Act 2023 – reinforces duties related to lawful freedom of speech, while upholding safeguards against harassment and abuse.
 - Office for Students (OfS) Guidance on Harassment and Sexual Misconduct – provides sector-specific expectations for UK higher education providers.
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Scope of the Policy

This policy applies to:

- All students, staff, visiting artists, volunteers and contractors
 - On-campus and off-campus activities (e.g. rehearsals, performances, residencies, field trips)
 - Online and digital interactions (e.g. emails, social media, messaging platforms)
 - Incidents involving third parties (e.g. audience members, external partners)
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Definitions Sexual Harassment

As defined in the Equality Act 2010, sexual harassment includes:

- Unwanted conduct of a sexual nature that has the purpose or effect of:
 - Violating a person's dignity
 - Creating an intimidating, hostile, degrading, humiliating, or offensive environment

Examples:

- Unwelcome sexual advances or touching
- Sexually explicit comments, jokes, or gestures
- Display of sexually offensive materials
- Inappropriate or suggestive remarks about appearance or clothing

Sexual Misconduct

Sexual misconduct includes any unwanted sexual activity that may also constitute a criminal offence, including but not limited to:

- Sexual assault
 - Rape
 - Sexual exploitation
 - Indecent exposure
 - Stalking with a sexual component
 - Recording or distributing sexual images without consent ("revenge porn")
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Consent

Consent must be:

- Freely given, informed, and specific
- Ongoing – can be withdrawn at any time
- Not valid if the person is asleep, intoxicated, coerced, or otherwise incapacitated
- Wilkes academy is committed to ensuring all staff & students understand consent

Reporting and Disclosure Options for Disclosure

Anyone who has experienced or witnessed sexual harassment or misconduct can:

- Speak confidentially to a trained Designated Safeguarding Lead (DSL)
- Use the College's safeguarding email (anonymous or named)
- Report to Director of Student Experience – DSL, or Senior Leadership Team
- Contact the police directly in cases of criminal conduct

Support Available

- Confidential counselling and wellbeing support through the Anna Freud early intervention service
- Academic adjustments if required
- Liaison with external agencies (e.g. police, NHS, Rape Crisis)

Investigation and Disciplinary Action Initial Assessment

Following a report, the academy will undertake a risk assessment and determine the appropriate pathway:

- Informal resolution (if appropriate and agreed by all parties)
- Formal investigation

Formal Investigation

- Conducted by an investigator, following natural justice principles
- Includes written statements, interviews, and documentation
- All parties may bring a support person

Outcomes

- Disciplinary action may include:
 - Written warning
 - Suspension or expulsion (students)
 - Suspension or dismissal (staff)
- In cases of criminal behaviour, the academy will liaise with the police

Protection from Victimisation and Retaliation

The academy prohibits any form of retaliation against individuals who disclose or report sexual harassment or misconduct. Disciplinary action will be taken against those who intimidate or retaliate against complainants or witnesses.

Training and Prevention

The academy commits to:

- Annual mandatory training for students and staff on consent and reporting mechanisms
- Regular workshops on healthy relationships, boundaries and respectful collaboration in the performing arts
- Clear codes of conduct for rehearsal rooms, productions, and off-campus activities

Confidentiality and Record Keeping

- All disclosures and investigations will be handled with the utmost confidentiality
 - Records will be stored securely in accordance with UK GDPR and Data Protection Act 2018
 - Anonymous data may be used to monitor trends and improve safeguarding procedures
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Review and Accountability

This policy will be reviewed annually by the Safeguarding and senior management team, or earlier if required by legislative changes or following significant incidents. Input from students and staff will be included in the review process.

Contacts and Support Services

- Designated Safeguarding Lead: Dean Parsons – Dean@wilkesacademy.co.uk
- Student Services: enquirues@wilkesacademy.co.uk
- External Services:
 - Rape Crisis England & Wales: www.rapecrisis.org.uk
 - National Domestic Abuse Helpline: 0808 2000 247
 - Victim Support: www.victimsupport.org.uk
 - AnnaFreud.org