

Students are encouraged to contact, via email, telephone or in person, the Student Wellbeing Manager or the Academic Registrar, so that they can discuss and consider their preferred course of action.

The Courtauld recognises that students may disclose an incident of sexual misconduct to any member of staff whom they trust. In all cases, students will be provided with information about the support and complaint procedures available.

There is no explicit deadline for lodging a complaint and The Courtauld will undertake investigations into non-recent cases of sexual misconduct as far as is practicable given the time that has elapsed since the incident/s.

Informal resolution

A student may request that their complaint is dealt with informally. The types of outcomes may include:

- a) Oral and/ or written apologies
- b) Attendance at awareness sessions
- c) Participation in training or behavioural change programmes
- d) No contact agreements
- e) Facilitated mediation
- f) Any other outcomes acceptable to the complainants and mutually agreed by the two parties

Informal resolution can only go ahead with the mutual agreement of both parties. The Academic Registrar with the support of HR will follow up to check that the informal resolution agreed has taken place, however they cannot enforce compliance.

Formal Complaints

Submitting a formal complaint to the University will be taken as a request for the Courtauld to investigate the misconduct allegation and take appropriate action. A formal complaint can be made from the outset or at any point after disclosure. Initially requesting informal resolution does not prevent a formal complaint being initiated later, and vice versa.

A decision to report to the police will lie with the reporting student; the Courtauld will support the student whatever their decision.

6. Responding to a disclosure of misconduct

Support for students will be coordinated by the Counselling Service within Student Academic Services (SAS) and will be tailored to the individual circumstances and needs of students.

Where a complaint is made against a staff member, Human Resources and the Managing Director will be notified. Where the complaint is against a student or a member of academic staff, the Dean and Deputy Director will also be notified. This ensures that a member of the senior executive team is aware of all complaints for oversight purposes.

7. Investigations and precautionary measures

- a) Informal resolution may be explored, with the agreement of the complainant.
- b) Formal investigations will usually only be initiated with the agreement of the complainant, unless there are safeguarding issues. The aim is to complete the investigation as thoroughly and quickly as possible, having regard for the complexity of the complaint. Complainants and the responding party will be kept informed if there are likely to be any delays. Every effort will be made by to keep the matter confidential to those who are directly involved., however this does not place the complainant under any obligation to not discuss the issue with whomever they choose. for example, for emotional support.
- c) Investigations will be conducted by an independent trained investigator, external to the Courtauld, with appropriate expertise and experience in this type of investigation and awareness of the particular issues of sexual misconduct within an education setting.
- d) The reporting student will be asked to attend a meeting with the lead investigator during which the procedure will be explained and discussed, and the details of the allegations will be confirmed.
- e) The accused party will be informed of the substance of the complaint against them and asked to attend a meeting during which the procedure will be explained and discussed, the details of the allegations will be confirmed and they will be invited to give a response.
- f) Students can be accompanied to investigation meetings by a member of the Student Union committee, a friend or a person in a support role or any combination of such people.
- g) The parties involved will be asked to submit any relevant information or evidence. Where needed, parties may be invited to attend subsequent follow-up meetings to clarify areas of uncertainty.
- h) The lead investigator will produce a report outlining the findings of the investigation.
- i) Any decisions on progressing to disciplinary action will be made by SAS, HR, the Dean and the MD (or delegated authorities) in light of the investigation report.

Alleged criminal offences and complaints to the police

The Courtauld will support the student in reporting sexual misconduct to the Police; however, the decision whether or not to make a report to the Police rests with the student concerned unless there are safeguarding issues which require the Courtauld to take action.

The Courtauld will follow any guidance provided from the police and other agencies regarding what further action and investigations may be taken once a formal complaint is made, to ensure it does not take any action that might compromise a potential criminal investigation.

Where a student or staff member accepts a police caution or has been convicted of a criminal offence in relation to behaviour that falls within the definition of sexual misconduct under this policy, the conviction/caution will be taken as conclusive evidence that the behaviour took place. No further

the interests of the principles of natural justice (i.e. the right to a fair hearing) with the constraints of investigating with limited details and facts, or a formal complaint having been made. Multiple complaints against the same individual may be investigated together where appropriate.

Precautionary measures

When an investigation is underway and without any presumption of guilt or the outcome of the investigation, the following steps may be initiated.

- a) Preventing or reducing contact between the complainant and staff member
- b) Temporary restrictions or proscribing of activities (e.g. the accused party not attending certain events)
- c) Suspension of the student or staff member against whom allegations have been made.

The complainant will be consulted about the steps to be taken and Human Resources will be asked for advice regarding complaints against staff members.

8. Disciplinary action

Following an investigation into an allegation, the matter may be referred for action under the relevant staff disciplinary procedures or the student disciplinary procedures.

Potential outcomes include but are not limited to:

Students - Temporary or permanent exclusions

Staff - Disciplinary action, which may result in a warning or dismissal, including dismissal without notice in the case of gross misconduct.

Student and Academic Services (SAS) will be responsible for action against students and Human Resources would be responsible for advising and overseeing any disciplinary action against staff members arising as a result of this policy.

9. Notifying the complainant of the outcome of a complaint

The Courtauld subscribes to the independent scheme for the review of student complaints administered by the Office of the Independent Adjudicator for Higher Education (OIA).

As part of the obligations for members, The Courtauld will send complainants a letter called a "Completion of Procedures Letter" when the complaint has reached the end of internal processes and there are no further steps the student can take internally.

If the complaint or appeal is not upheld, The Courtauld will issue a Completion of Procedures Letter automatically. If the complaint or appeal is upheld or partly upheld, the student can ask for a Completion of Procedures Letter if they want one.

More information about Completion of Procedures Letters is available on the OIA website.

[Completion-of-procedures-letters](#)

10. If the complainant remains dissatisfied with the outcome

If a student has exhausted The Courtauld's internal processes and received a Completion of Procedures letter (COP) they can apply to the Office of the Independent Adjudicator for Higher Education (OIA), for a review of their complaint, provided that the complaint is eligible under its Rules. Normally the final stage of the complaint needs to have completed before sending a complaint to the OIA.

