

Section 39: BIMM Institute Sexual Misconduct Policy & Procedure

Support for You

BIMM Institute is dedicated to creating a safe, welcoming, inclusive and diverse community which nurtures a healthy environment and culture of mutual respect and consideration, allowing all members to thrive without fear of harassment, bullying, discrimination, sexual violence, abuse, coercive behaviours or related misconduct.

BIMM Institute provides a range of support for students to access where they have experienced any form of harassment, bullying, discrimination or sexual misconduct. Whether or not you want to report, it is important that you have access to support in relation to your experience. Please speak to your Student Support Officer for confidential guidance or advice, either in person or via mail or phone.

BIMM Institute will not tolerate students who bully, harass or behave in a way that is likely to violate a student's dignity, or that creates an intimidating, hostile, degrading, humiliating or offensive environment for a student. If you have experienced behaviour of this kind, you can report it so that action can be taken. Further information about the behaviour expected of students can be found in the Institute's *Student Code of Conduct, Bullying & Harassment Policy and Social Media Policy*.

What is Sexual Misconduct?

BIMM defines sexual misconduct as including the following (whether it is within a sexual or romantic relationship, whether any consent to a sexual activity has been given previously and then withdrawn, whether the behaviour happens physically or virtually):

- making unwanted remarks of a sexual nature;
- touching inappropriately without consent;
- kissing without consent;
- sharing private sexual materials of another person without consent;
- inappropriately showing sexual organs to another person;
- sharing private sexual materials of another person without consent (e.g. images, video, voice recordings, text message, letters, emails);
- attempting to or engaging in sexual intercourse or a sexual act without consent;

Reporting Sexual Misconduct to BIMM

If you are a student at BIMM Institute who has experienced any kind sexual misconduct you can report this in a couple of ways;

- Using the Anonymous Reporting Form which helps BIMM Institute monitor the number and type of reports and reasons with those reporting remaining anonymous.
- Use the Reporting Sexual Misconduct Procedure if you would like your interactions with another student to be limited.
- Use the Student Disciplinary Procedure, through which students can request that another student's behaviour is investigated.

The routes for reporting options are detailed below. Before completing a reporting form:

- Read the information about what will happen on the Harassment and Sexual Misconduct Process Guide in full.
- Seek confidential advice or support from your Student Support Officer

- If you have any questions, contact the Student Support Team.

Anonymously reporting Sexual Misconduct:

You can anonymously report any type of sexual misconduct to BIMM Institute using the Anonymous Reporting Form, which will be made available on Student Services Moodle pages. This system is completely anonymous and enables BIMM Institute to understand the prevalence and type of misconduct happening and the reasons why those reporting wished to remain anonymous. However, its purpose is to collect statistical information and will not result in any action being taken in relation to the individual incident.

Reporting Sexual Misconduct Procedure:

Use this Procedure if you want action taken that limits your possible interaction with the other student. Forms will be made available on Student Services Moodle pages.

- The Procedure will not make any findings or decisions about whether the harassment or sexual misconduct has taken place;
- No record of your report will be held on your or the other student's file;
- Following investigation, outcomes can include a conduct agreement, which can stop the student from contacting or approaching you and timetable changes. Please be aware there may be limitations.

Things to remember when submitting the form:

- You will receive an email within three working days, offering a meeting with you to confirm the next steps. Alternatively, these can be communicated to you by email.
- BIMM Institute can put in place precautionary action whilst an investigation is ongoing to prevent contact between you and the person you are reporting.
- If BIMM Institute believes that there is a significant risk to you or others in the Institute, then precautionary action can be taken to prevent the student from contacting you or putting other people at risk while an investigation is ongoing.
- Following the investigation, the investigating officer will write a report and recommend suggested actions that would limit the future interaction between you and the other student;
- You will be informed of the suggested actions. If both you and the other student agree to the actions, this will be confirmed in writing. If one of you does not agree to the suggested actions then with your agreement, the complaint can be considered using the Institute's Student Disciplinary Procedure.

Reporting Sexual Misconduct via the Student Disciplinary Procedure:

If you wish your complaint to be investigated with the possibility of sanctions being imposed, you can complete a form, which will be made available on Student Services Moodle pages.

If a case is referred for consideration under the BIMM Disciplinary Procedure:

- BIMM Institute will acknowledge your complaint and offer to meet with you to discuss it in more detail. You will be given a point of contact in Student Services who will deal with the ongoing case. BIMM Institute will then decide whether there is enough evidence to consider pursuing a student for breaching BIMM Institute regulations.
- BIMM Institute will then follow the process in the Disciplinary Procedure which is documented [here](#).
- If the regulations have been breached, then the panel can impose sanctions, up to and including temporary or permanent exclusion from BIMM Institute.

- If there is not enough evidence to proceed, BIMM Institute can take no action or can recommend that action is taken using another reporting option in the Sexual Misconduct Procedure detailed above.

Further Reporting:

If you believe that a criminal offence has been committed, you should report the matter to the police. If you report a matter to the police, you should still report it to BIMM so that precautionary action can be taken whilst the police are investigating. However, BIMM will seek legal guidance as to whether it suspends its inquiries pending the outcome of any ongoing police investigation. Unless BIMM considers there to be an immediate and significant threat to you or other members of the community, it will never inform the police about a matter you have reported without your consent.