



Oakswood College

Empowering Through Education



Sexual Misconduct, Harassment & Unacceptable Behaviours

Precautionary Measures for Students

PROMOTING EXCELLENCE • ENSURING COMPLIANCE
SUPPORTING OUR COMMUNITY



GOVERNANCE



QUALITY



COMPLIANCE



EXCELLENCE

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Oakswood College
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(Trading name of Oakswood Group Ltd)

Policy on Sexual Misconduct, Harassment and Unacceptable Behaviours

APPENDIX C: Precautionary Measures for Students

Review: Annually alongside the main Policy

C1. Purpose and Nature of Precautionary Measures

Precautionary Measures are interim steps taken to protect the safety and wellbeing of students involved in a matter under this policy and to protect the integrity of an investigation while it is ongoing. They are used to:

- Protect individuals involved;
- Prevent interference with, or compromise to, an investigation;
- Manage risk appropriately.

Precautionary Measures are protective in nature and do not constitute any presumption or finding of guilt, nor are they a disciplinary sanction. Being subject to Precautionary Measures does not indicate that any determination has been made about a Respondent's conduct.

Where Precautionary Measures are required in relation to a member of staff, these are managed under the Staff Disciplinary Policy and Procedure in conjunction with the HR function. This appendix covers measures applicable to students only.

Each case will be considered on its individual merits.

C2. Available Measures

The following measures may be applied to any Respondent student who is the subject of an allegation of a possible breach of the Policy on Sexual Misconduct, Harassment & Unacceptable Behaviours, or in appropriate circumstances to any student whose safety or wellbeing requires protection during the investigation. This means that Precautionary Measures may also be applied to Complainant Students where relevant to protect them and/or to support the fair and proper application of any relevant College procedures. For example, a 'no contact' direction would normally be applied to both a Respondent and a Complainant, for fairness and clarity, and to protect both parties.

- A no-contact direction preventing direct or indirect contact between specified individuals.
- Changes to timetabling, tutorial groups or class arrangements to prevent contact between parties.
- Temporary restrictions on access to specified areas of the College premises.
- Temporary restrictions on access to specified College activities or services.
- Conditions for engaging with internal support
- Conditions for engaging with external support
- Any other measure the CEO considers proportionate and appropriate in the circumstances.

C3. Decision Making regarding the Imposition of Precautionary Measures

The decision to impose precautionary measures on a student is made by the Disclosure Investigation Officer, signed off by the CEO or another member of the College's Senior Leadership Team nominated by the CEO. In deciding whether to impose measures and which measures to apply, the Disclosure Investigation Officer will consider the nature and seriousness of the allegation, the risk of harm to any person if measures are not imposed, the risk of interference with the investigation, and the impact of the proposed measures on the student subject to them, including their ability to continue with their studies.

Precautionary Measures are 'without prejudice'. This means that the fact that precautionary measures have been applied will never be taken into account as being relevant to any decisions about an individual's reported behaviour. Where a student has engaged well with Precautionary Measures, this may be taken into account, but the fact that Precautionary Measures have been applied in and of itself will not form, nor inform, any part of the College's decisions under any formal procedures.

C4. Notification and Representations

Precautionary measures will be communicated in writing to the student they are being applied to as soon as practicable. The written notification will include a description of the measures being imposed, the reasons why they are considered necessary, the date from which they take effect, the anticipated duration, and information about the right to make representations.

The student subject to the measures may make written representations to the CEO (or their nominee) within five working days of being notified. The Disclosure Investigation Officer will consider those representations and communicate a decision within five working days of receipt. Making representations does not automatically suspend the measures while they are being considered.

C5. Duration and Review

Precautionary measures are temporary. They will be reviewed by the CEO at regular intervals, at a minimum every 28 calendar days, and will be varied or lifted where they are no longer necessary or proportionate. Measures will cease upon the conclusion of the investigation and any misconduct process, unless a specific outcome of that process requires them to continue in a modified form. Where relevant, the College may revert to using the Emergency Student Exclusion & Suspension Policy, action under which may supersede any prior Precautionary Measures under this Policy.

C6. Academic Impact

The College will take active steps to ensure that precautionary measures do not unnecessarily affect the academic progress of any student subject to them. This will include ensuring access to academic support, providing alternative arrangements for affected teaching or supervision, and considering extenuating circumstances in relation to any assessment affected by the measures.

Students subject to precautionary measures who have concerns about the academic impact of any precautionary measures should alert the CEO in writing to these concerns at their earliest convenience.