GUIDANCE FOR STUDENTS WHO HAVE BEEN ACCUSED OF SEXUAL MISCONDUCT, SEXUAL ASSAULT OR RAPE

Student Services
When an allegation of sexual assault or rape is reported, the University has a duty of care to both the victim and the alleged perpetrator to ensure their safety and wellbeing and the wider University community.

The University adopts a zero tolerance approach to sexual assault or rape.

If you are subject to an allegation of sexual assault or rape, please read this guidance. It is a resource to help explain what action the University will take.
THE ROLE OF THE COLLEGE MASTER

When an allegation of sexual assault or rape is reported, your College Master will be informed. The College Master will then arrange a meeting with you.

If the alleged incident has not been reported to the police.
You will be asked to give an account of the incident to a College Master. This account will be kept securely on the central reporting system.

If the alleged incident has been reported to the Police
You will be asked to bring along to the meeting any paperwork that relates to your case. This may include bail conditions.

You may be asked to give a statement of the incident and this account will be kept securely on a central reporting system.

After the College Master has met with you, the College Master will complete a risk assessment. This is to assess if you pose a risk to the alleged victim, any witnesses, or the wider University community. Consideration will also be given to any risk that may be posed to you.

The risk assessment may result in the University taking action which can include temporary or permanent exclusion from all or specific areas on the campus.

The risk assessment will also take into consideration any bail conditions. The risk assessment will be referred to the Director of Student Services for sign off. In cases where the risk assessment recommends exclusion, it will also be signed off by a member of the University’s Executive Group or in their absence the Senior Master.

You will be advised in writing of the outcome of the risk assessment and the right to appeal the decision.

You should consider consulting the Kent Union Advice centre or GKUnions if you have any concerns about your case.

Important note
Where the Police have imposed bail conditions on you it is important that you follow these conditions.

Failure to follow these conditions could result in your arrest.

You must not approach or make contact in any way with the victim, or any potential witnesses. You should not incite others to attempt to make contact with the victim and/or potential witnesses.

Failure to follow these conditions could result in the Police and/or the University taking action against you. You should not discuss the case with other students or post information on social media.

Where the University has imposed conditions on you through a risk assessment it is important that you follow these conditions. Failure to do so could result in disciplinary action being taken against you, and the penalties that could be imposed include exclusion from the University.

It is important to note that a victim who initially decides not to involve the Police can change their mind at a later date and ask for the Police to consider their case.

You may wish to consider consulting a solicitor if you have any concerns about police action.
WHAT THE UNIVERSITY CAN DO (AND CANNOT DO)

If there are criminal or court proceedings underway, the College Master will not conduct an investigation until the criminal or court proceedings have been completed. However, the College Master can investigate any other separate breaches of the non-academic student discipline regulations that are not related to criminal proceedings for sexual assault or rape allegations.

If you are not subject to criminal proceedings, the College Master can only investigate the incident in line with the University’s Regulations on student discipline in relation to non-academic matters and determine whether there has been a breach of University regulations.

In exceptional cases an alternative College Master may be appointed to investigate an allegation to ensure fairness.

If you would like to talk to someone about your wellbeing, your College Master can advise you of how to access support through Student Support and Wellbeing.

Issues of confidentiality and who will be notified

It is important to note that the Police can ask for any records held by the University in relation to an alleged incident at any time. However, should the Police make a request the University has strict procedures in place that are in line with the requirements of the Data Protection Act 2018.

Your College Master’s Office will be notified of the alleged incident in order to support you and to ensure your continued safety and wellbeing.

Other relevant staff members, including The Head of Campus Security and your Head of School, may be notified of the alleged incident if you are subject to any disciplinary action or if an issue is raised which puts either yourself or others at risk of harm. You are encouraged to speak to your Student Support Officer or equivalent in your Academic School to discuss academic support options including extensions and concessions.
QUESTIONS AND ANSWERS

How long will my temporary exclusion last? How am I going to catch up on my course?

The length of time of a temporary exclusion is case specific.

Notification of an exclusion / suspension will include the right of appeal and allow you a further opportunity to ask for the decision to be reviewed after one month of the original appeal decision. You will have a further opportunity(ies) to request a review every two months while the exclusion / suspension remains in place.

You are advised to seek advice from your school regarding your academic studies during the period of exclusion / suspension.

How can you exclude me when there is no criminal investigation taking place?

The University’s non-academic student discipline regulations are not criminal proceedings. Any action is taken in good faith for the protection of the alleged victim, student community and/or the alleged perpetrator whilst University investigations are under way. The risk assessment considers the account of all parties involved.

What happens if I have been found not guilty by the criminal courts or the investigation has been dropped? Can I come back to University?

The College Master will make a referral to Disciplinary Panel request to the Director of Student Services. The Director of Student Services will review the case and determine if a Disciplinary Panel will be convened. If the case is referred to Panel, the Panel will decide on any further disciplinary action. If an exclusion or temporary exclusion is in place it will remain until it is lifted by the University in writing.

I have been found guilty by the criminal courts. What happens now?

The University will consider your case, taking into account the risk assessment and any potential breaches of the non-academic student discipline regulations.
SUPPORT FROM THE UNIVERSITY

College Master’s Office
www.kent.ac.uk/student/colleges/

The Student Conduct and Complaints Office
sccoffice@kent.ac.uk (for questions regarding the non-academic student discipline regulations)

Canterbury
Student Support and Wellbeing (including counselling)
www.kent.ac.uk/studentsupport/wellbeing/

Contact us form:
www.kent.ac.uk/studentwellbeing/counselling/index.html
T: 01227 82 6573

Opening hours:
Monday – Friday 9am to 5pm

Kent Union Advice Centre (Canterbury)
www.kentunion.co.uk/welfare/advice-centre/
E: advice@kent.ac.uk
T: 01227 827724.

Drop-in sessions are available
Monday – Friday 10am-12pm and 1pm to 4pm (15 minutes)

To book a longer appointment, please call the Advice Centre between 10am and 4pm.

Medway
Student Wellbeing
The Wellbeing team is located within the Student Services Department on the Ground Floor of the Gillingham Building. There is a resources room, G0-05/06, which you are welcome to visit at any time. Appointments for specific advice can be made by emailing medwaywellbeing@kent.ac.uk or telephoning 01634 20 2984.

www.kent.ac.uk/studentservices/medway/index.html

Opening hours:
Monday – Friday 9am to 5pm

GKUnions (Medway)
www.gkunions.co.uk/advice/aboutus/
E: advice@gkunions.co.uk

Drop in sessions are available during term time
Monday 10am-12pm, 1pm-3pm;
Wednesday 10am-12pm, 1pm-3pm;
Friday 1pm-3pm.

To arrange a pre-booked appointment, please call 01634 888989.