

# Tackling Harassment and Sexual Misconduct

Guidance for Chairs and Governing Bodies

May 2022

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# 1. Introduction

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Violence, harassment, and hate have a devastating impact on an individual's self-worth, mental health, and well-being. It is critical that universities have strategies and plans to prevent and successfully address these issues. Tackling harassment in universities, however, is complex and challenging. By their very nature, Universities are more diverse in their populations and issues of harassment are often amplified. Students are also more likely to be victims of sexual harassment than in any other occupational group.<sup>1</sup>

This Practice Note is designed to help Chairs, and governing bodies tackle this issue, drawing on a range of published guidance and interviews at several universities exploring current practice.

The structure reflects the diverse interests of governing bodies, with the main body of the Note highlighting areas of focus and direct actions governing bodies should take. For those Chairs and members interested in more detailed advice, and practice in other universities, this can be found in the Appendices.

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<sup>1</sup> 2020 ONS publication on victim characteristics. This does not take into consideration whether the incidents are on or off campus. For example, the Students' Union at Queens University Belfast produced a report which showed high prevalence in the student body – but crucially this was largely not on campus but was in venues in the City.

## 2. Context and background

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Public and political interest in challenging harassment and misconduct has increased over the past few years, in part prompted by The MeToo movement and in HE the impact of through the [everyone's invited website](#) which highlighted the risk to the reputation for universities:

*"We have named 119 universities that have been submitted, but we want to emphasise that rape culture exists in all universities. From the testimonies, it is clear that rape culture is prevalent on university campuses across the UK. "*

Evidence and references to harassment and sexual misconduct in universities can be found in a range of publications ([see Appendix 6](#)), including the following:

- Annual Report of the Office of the Independent Adjudicator (OIA) 2014. This also identified sexual harassment and 'lad culture' as an emerging issue of concern.
- UUK Changing the Culture (2016 and 2019) reports.
- Equality and Human Rights Commission report (2019). The findings showed that racial harassment was a common experience in higher education settings - around a quarter of students from an ethnic minority background (24%), and 9% of White students, said they had experienced racial harassment since starting their course. The report also found that 1 in 20 students left their studies due to racial harassment.
- 2020 ONS publication on victim characteristics. This revealed that full-time students aged 16-74 were more likely to have experienced sexual assault in the last year than people in any other occupation type.

Aside from the moral imperative and reputational risk, universities are subject to several legal duties to protect their staff and students from harassment and are expected to have regard to regulatory requirements, political priorities, and good practice as laid out in sector Codes and other publications. A summary of the key duties and expectations can be found in [Appendix 1-3](#). These include the [OfS Statement of Expectations](#).

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Aside from the moral imperative and reputational risk, universities are subject to several legal duties to protect their staff and students from harassment.

### 3. Areas of focus

Whilst complex, the core approach to tackling this issue in a University, is similar to other areas where the Board exercises oversight namely, it needs a good understanding of the current position, coupled with the assurance that there is/are:

- The deployment of an appropriate culture and associated behaviours;
- An appropriate strategy that is owned and understood by the whole institution;
- Delivery mechanisms which include clear responsibilities, accountabilities, performance targets, and monitoring;
- An appropriate level of resource;
- A clear approach to communications;
- Engagement and support from its partners, particularly its staff and students;
- A system of monitoring and review.

Most of these arrangements will be for the Executive to progress with the governing body getting assurance by requesting regular reports on the University's commitments to tackling this agenda, such as data on trends and outcomes of all forms of harassment, including action taken in response to formal reports and complaints, the effectiveness of prevention and response activities, the impact on students and the allocation of resources to prevent and address staff and student sexual misconduct.

In [Appendix 4](#), we have set out more detailed advice to assist governing bodies in getting assurance.

## 4. Elements for Governing Bodies to address

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### Governing Bodies should:

- Promote openness and transparency even in circumstances that do not portray the University in a positive light. The Higher Education of Code of Governance highlights the importance of openness and transparency in all university dealings to build trust and support accountability;
- Explicitly accept that transparency includes potentially publishing reports that generate adverse publicity. The UUK Changing the Culture report also recommends that the governing body, in conjunction with the executive team, consider publishing an annual report on harassment and sexual misconduct, which shows the outcomes from cases, trends and reports made even when case numbers have significantly increased;
- Recognise that universities have an important role to play in challenging societal attitudes and shaping the minds of future generations;
- Lead by example by behaving in accordance with the values of the organisation, building leadership and governor diversity, ensuring good behaviour at the governing body as well as across all levels of the institution ,and taking action where this is not the case.<sup>2</sup>
- Consider identifying a board champion against harassment and sexual violence. Engaging regularly with staff and students to ensure that the information received at Board triangulates with reports from staff working in this area and students.
- Be clear where in the Board and its Committee structure responsibility for this issue lies and ensure that there is sufficient space on the agenda to engage with the topic ;
- Encouraging governing body members to ask “the difficult questions.”

Recognise that universities have an important role to play in challenging societal attitudes and shaping the minds of future generations.

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<sup>2</sup> *Recommendation 6a.* of the OfS statement of expectations refers to the initiation of disciplinary proceedings against a student, staff member, visitor and member of the governing body.

## 5. Questions for Boards

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- How is the Board's leadership commitment on this issue made visible and communicated to staff?
- Does the governing body understand its responsibility?
- Is the governing body sighted on the University's work to tackle harassment and if so, what reports are received and how frequently?
- Are there key targets (including targets for resources) for harassment that are widely disseminated, and what progress has been made against these targets?
- Has the governing body appointed a champion to drive action in this area, and is their role explicitly set out anywhere?
- Is there a clear commitment from everyone to transparency even where this may generate adverse publicity?
- What use of NDAs has been made in respect of victims of harassment and misconduct?
- What partnerships have been developed to support action to tackle harassment?
- Do we hear directly from students on progress in dealing with harassment?
- Are policies to address harassment fully integrated into and aligned to the institution's broader policy framework and do these policies reflect the diversity of the student cohort?
- Are harassment policies and strategies reviewed regularly - for example, by using the University of Suffolk's higher education online safeguarding self-review tool?<sup>3</sup>

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<sup>3</sup> Higher Education Online Self Review Tool (2019) Emma Bond and Professor Andy Phippen

### Additional questions for Chairs

- As a board are we providing the appropriate balance of challenge and support to the Executive Team in this area?
- Am I confident that the information received at Board triangulates with reports from staff and students working in this area?
- Do the existing governance structures effectively support action and communication which prevents and addresses issues of harassment? If not, what needs to change?
- Is there a consistent cross-institutional approach to the prevention of harassment in the University and is a culture change programme needed?
- What, if any, additional support does the board need, collectively and as individuals, to have effective oversight of harassment in the University? For example, are some board members not engaging or behaving differently when issues of harassment are discussed at board and do they require additional support?

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Do the existing governance structures effectively support action and communication which prevents and addresses issues of harassment?

## 6. Approaches to tackling harassment in other institutions

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For Chairs and governing bodies who are interested in approaches to tackling harassment in other universities we have included some case studies in [Appendix 5](#).

In thinking about preventing harassment in their university communities, governing bodies may also be interested in viewing a new toolkit developed by Against Violence and Abuse (AVA) in partnership with UUK and NUS to support vice-chancellors and senior leaders to tackle harassment.

- [Tackling harassment, hate and sexual misconduct: a quick guide for vice-chancellors and principals](#)
- [A toolkit for vice-chancellors, principals and senior leaders, tackling sexual misconduct, harassment and hate incidents in higher education](#)

## 7. Conclusion

Chairs and governing bodies have a critical role in providing leadership to their institution and creating a culture that ensures universities become safe places to live, work, and study for both staff and students.

Most Universities already prioritise action in this area, however, the need for universities to continue improving and demonstrating their commitment to do more remains essential. A university that fails to take action to address issues of harassment risks its reputation, its relationship with students and local communities, and its long-term sustainability.

## Appendix 1

# The Legal and Regulatory framework and other considerations

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### The Legal and Regulatory framework

Universities are public bodies with a legal duty to ensure that students can access education free from discrimination and harassment.

Legal obligations from universities to students may arise under:

- Contract
- Common law – a breach of which would give rise to a claim in negligence
- Health and Safety law
- Equality Act (2010). Under the Equality Act, universities owe a public sector equality duty, which requires them to have due regard to the need to:
  - Eliminate discrimination;
  - Advance equality of opportunity; and
  - Foster good relations between people from different demographic groups.
- Human Rights Act (1998), which protects various competing rights, and Freedom of Speech
- The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Data protection and confidentiality law

Universities are also directly liable for discrimination by their staff. This covers not only direct staff misconduct but for discrimination as they implement their complaints procedures.

### Regulatory requirements

Universities are also expected to comply with regulatory requirements. Although not currently connected to any initial or ongoing conditions of registration with the OfS, the OfS has published a statement of expectations for preventing and addressing harassment and sexual misconduct affecting higher education students in England. These provide consistent recommendations to support English higher education institutions in developing and implementing effective systems, policies, and processes to prevent and respond to incidents of harassment and sexual misconduct. The full expectations relating to governing bodies are included in [Appendix 2](#).

While Universities in Wales, Scotland, and Northern Ireland are not subject to these regulations' regulatory bodies in the respective nations, have similar expectations and requirements.

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Universities are public bodies with a legal duty to ensure that students can access education free from discrimination and harassment.

For example, W20/39HE is a Welsh Government Circular that provides information on tackling violence against women, domestic abuse, and sexual violence (VAWDASV) in higher education and provides case studies to share practice. Northern Ireland also has a statement of expectations similar to that produced by OfS.

## Other considerations

In addition to legislative and regulatory requirements, universities are also expected to have regard for political priorities and good practices as laid out in sector Codes and other publications.

The CUC Higher Education Code of Governance stipulates that governing bodies should:

*“promote a positive culture which supports ethical behaviour, equality, inclusivity and diversity across the institution, appropriate safeguarding activity integrated into existing governance structures, and that practices to address sexual misconduct and harassment need to be fully embedded into the day-to-day running of HEIs. The requirement for the governing body to have procedures to satisfy themselves that their institutions are effectively addressing harassment and helping students feel safe on campus.”*

Further details on the Code expectations are provided in Appendix 3.

We recommend that Chairs and governing bodies have regard to:

1. **The Equally Safe in Higher Education Toolkit** in Scotland which recommends that each University:
  - develops a strategy and implementation plan to tackle gender-based violence;
  - establishes a Strategic Group to oversee the implementation of the Strategy and appoints a named champion or coordinator to report on progress;
  - introduces guidance and training for staff in responding to disclosures of gender-based violence and supporting victims/survivors;
  - develops a secure data collection system to record incidences of gender-based violence and undertakes research to ensure the extent and nature of the issue on campus are fully understood;
  - ensures well-publicised points of contact for students reporting gender-based violence;
  - introduces policies for staff and students, including an established code of conduct, disciplinary procedures, and sanctions for perpetrators of gender-based violence.
2. The UUK Changing the Culture reports provide a strategic framework specifically developed to support universities in tackling harassment in all its forms occurring between students. It is based on a whole institution and multi-agency approach and goes beyond the sector’s statutory duties and can be customised by each University to suit their cohort of students and specific context. (The OfS Statement of Expectations broadly aligns with the Changing the Culture framework).

3. The Office of the Independent Adjudicator (OIA) and the Scottish Public Services Ombudsman Good practice framework: handling student complaints and academic appeals. The guidance should be considered for universities in Scotland alongside The Scottish Higher Model Complaints Handling Procedure available from the Scottish Public Services Ombudsman.
4. The UK government's "Violence against women and girls' strategy 2021–2024: call for evidence" highlighted violence against women and girls as a top priority, recognising that this is too prevalent and hidden within all aspects of society. This is reflected in its recent publication on Build Back Fairer, the government's commitment to building a fairer society for all, spreading opportunities to support social mobility, championing the fair treatment of disabled people and ensuring equal rights.

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The UK government's "Violence against women and girls' strategy 2021–2024: call for evidence" highlighted violence against women and girls as a top priority, recognising that this is too prevalent and hidden within all aspects of society.

## Appendix 2

# OfS expectations relating to Governing Bodies

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Governing bodies should ensure that the provider's approach to harassment and sexual misconduct is adequate and effective. They should ensure that risks relating to these issues are identified and effectively mitigated.

We consider this to include:

- a. A systematic approach to tackle harassment and sexual misconduct embedded within existing governance structures. For example, committees and working groups to tackle these issues should form part of the provider's governance structure to allow effective oversight across the provider's remit.
- b. The governing body is routinely given information on the provider's approach to harassment and sexual misconduct for consideration and action (as necessary). This may include the provision of information on any prevalence data collected, as well as reported incidents and cases and outcomes of cases. It could include the review and evaluation of the provider's approach to harassment and sexual misconduct and its impact on students.
- c. Steps taken to ensure that those with a governance role have a clear understanding of the issues that are relevant to their responsibilities and, where appropriate, their obligations under the Public Sector Equality Duty. This could be achieved for example through appropriate training and briefing of relevant staff or members of the provider's governing body and committees.

OfS Expectations Relating to Governing Bodies

## Appendix 3

# CUC Higher Education Code of Governance

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### Equality, inclusivity and diversity

The governing body promotes a positive culture which supports ethical behaviour, equality, inclusivity and diversity across the institution, including in the governing body's own operation and composition. This includes ensuring under-representation and differences in outcomes are challenged and, where practicable, corrective action is taken to ensure fair outcomes for all.

- 3.1 HEIs are required by law to comply with equality and diversity legislation, and the governing body is legally responsible for ensuring the institution's compliance. Legislation in this area does not distinguish between domestic and international students and staff.
- 3.2 The governing body must ensure that there are arrangements in place to:
- Eliminate unlawful discrimination, harassment and victimisation.
  - Advance equality of opportunity between people who share and those who do not share a protected characteristic.
  - Foster good relations between people who share and those who do not share a protected characteristic; and
  - Promote an inclusive culture.
- 3.3 The Governing body needs to review and report on the institution's approach to equality, inclusivity, and diversity. As a minimum, they must receive an annual equality monitoring report setting out work done by the institution during the year.

The Code also specifies that:

- The governing body requires assurance that there is a transparent, effective and published process for making and handling a complaint or raising a concern and that any internal or external complaints or concerns are handled impartially, constructively and, in the case of student complaints, by any requirements of the Office of the Independent Adjudicator for Higher Education (or equivalent for the devolved nations). The governing body should also ensure there is an effective process in place for investigating disclosures under whistleblowing legislation.
- The governing body must understand and respect the principle of academic freedom, the ability within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges. The governing body must understand its responsibility to maintain, promote and protect the principle of academic freedom.
- The governing body should also understand their institution's legal responsibility to uphold freedom of speech within the law.

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The governing body promotes a positive culture which supports ethical behaviour, equality, inclusivity and diversity across the institution.

## Appendix 4

### Notes on assurance

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#### Understanding the current position

The Governing Body will need an understanding of what constitutes sexual misconduct, harassment, and hate incidents. That will include acknowledging that sexual harassment, misconduct, and hate exist in universities, as they do throughout society. It will recognise that universities have an important role to play in challenging societal attitudes and shaping the minds of future generations; If this issue has not been considered previously, some form of initial assessment will be needed - reports, surveys, and outcomes from complaints (students) and grievances (staff) are good starting points. Such a briefing should review the current practice of their University in light of the evidence and recommendations from sector-specific research and practices at peer institutions.

#### Culture

Creating the right culture will promote action to ensure universities become safe places to live, work, and study for both staff and students. Both the Executive and the governing body have an important leadership role in developing the University's culture. They should be involved in identifying the institution's values, building leadership diversity, challenging unequal cultures, and driving good behaviour that permeates through all institution levels.

In creating the right culture, UUK has identified the need for action at three levels - individual, organisation and community. The levels are not mutually exclusive, and action is required at each level, along with strategic and operational leadership and robust governance, to be effective.<sup>4</sup> Governing bodies can help leaders embed an inclusive culture across the institution by supporting action at each level.

Strong leadership by governing bodies can help drive a meaningful culture shift which:

- Supports and challenges the University's executive leadership team. The governing body and the executive team need to be "brave and bold" in their actions in addressing harassment and "not be afraid of the headlines". For example, universities have been criticised for using Non-Disclosure Agreements (NDAs) as a way of silencing victims.<sup>5</sup> Governing bodies can play in role in ensuring that NDAs are not used in cases relating to harassment.<sup>6</sup>

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<sup>4</sup> UUK Toolkit

<sup>5</sup> BBC news February 2020 Sexual assault claims gagged by UK Universities

<sup>6</sup> In England, Michelle Donelan has asked all universities to sign a pledge to stop using NDAs for harassment cases and in Scotland, all Vice Chancellors have already signed up to this approach (in 2019). The Office of the Independent Adjudicator is also clear that the use of non-disclosure agreements (NDAs) or confidentiality clauses can be a barrier that prevents both the lesson learning and the reassurance and that NDAs are rarely appropriate in the context of student complaints.

- Promotes awareness of the legal, financial and reputational risks of not taking action - how a university addresses harassment can impact its relationship with students (current and prospective) and its relationship with local communities.
- Recognises low incidents are not necessarily good and may reflect under-reporting. In the same vein, an increase in the number of incidents reported may be a positive outcome and be indicative of emerging culture change.
- Supports and protects staff working in this area. Tackling harassment effectively requires leadership that supports staff operating in this area, and chairs are well-placed to ensure that the institution's culture and leadership enable this. Some staff at institutions told us that:

*"The most important thing the board can do is recognise the issues are not going away – I have KPIs I will never reach."*

*"The Board has been brilliant and even asks whether I have enough resources – this never happens at boards."*

- Accepts and recognises that this is not solely a university problem; it is a societal issue that is much wider than the University and is always likely to present itself.
- Recognises universities have an important role to play in challenging societal attitudes and shaping the minds of future generations.
- Encourages reporting of harassment cases (particularly sexual harassment) by staff and students as the norm.

## Strategy

An appropriate institution-wide strategy that is owned and understood by the whole institution is essential. Institution-wide strategies can support the creation of a culture of prevention and trust and enable a more effective response to incidents of harassment when they do occur.

To support the development of these strategies governing bodies may wish to request reports summarising what progress has been made towards adopting a cross-institution approach. "This should include reporting on the resource made available and be used to support an effective cross-institution approach including any recommendations for additional resource".<sup>7</sup>

*"The Board has been brilliant and even asks whether I have enough resources – this never happens at boards."*

<sup>7</sup> UUK, Changing the Culture Reports 2016 and 2019

## Governance arrangements

### Responsibilities and accountabilities

Steps must be taken to ensure that those with a governance role have a clear understanding of the issues relevant to their responsibilities and, where appropriate, their obligations under the Public Sector Equality Duty.<sup>8</sup> This could be achieved through appropriate training and briefing of relevant staff or members of the HEI's governing body and committees.

The provision of training for staff, governing body members, and students was common in all institutions interviewed. This included training on responding effectively and sensitively to disclosures and reports from students – if only to refer students quickly to whoever is best placed to provide the proper support. Having staff and student training programmes in place will help students feel confident to report and disclose incidents, knowing that they will be listened to and their reports will be dealt with appropriately and sensitively.

Governing bodies should be assured that training for anyone involved in tackling harassment occurs across the institution and is repeated at regular intervals to reflect student and staff turnover and good practice.

### Governance structures

The value of having designated space and a systematic approach to tackling harassment and sexual misconduct incorporated into governance structures was deemed necessary by staff at all institutions spoken to – this is echoed in various publications listed in Appendix 6. A board champion for Harassment and Sexual Violence was also considered helpful in ensuring the governing body was reminded of and cited on emerging issues and trends.

Having the space in governance structures to discuss harassment and appropriate support promotes understanding at senior levels, permeating the institution and contributing to a supportive culture that drives action to prevent and address emerging issues.

To create this space governing bodies should consider whether there is sufficient time on board agendas to discuss their University's approach to harassment and routinely request information on prevalence (including trend analysis) and information on reported incidents and outcomes of cases. This represents good governance practice and is beneficial in raising awareness of the need to tackle harassment and consider the resourcing required in terms of staff and funding to change institutional culture. It also enables governing bodies to review their University's approach to harassment and its impact on students and staff.

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<sup>8</sup> The Public Sector Equality Duty requires universities and other public authorities to eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act 2010. It is referenced in the CUC HE Code of Governance and a link to the legislation is available [here](#).

## **Policies and procedures**

Policies and procedures set out the rules and guidance on, and processes for, what should happen within the University. They are essential for establishing culture and behaviours that align with a university's values and mission and the desired outcomes within the wider sector and society. Governing bodies should consider, review and endorse their University's policies relating to the prevention of harassment and should receive assurance on how these policies are communicated and made accessible to the University community.

These policies must include information on the behaviours expected from all members of the university community, the consequences of these being breached, and how the University will respond to reports and complaints.

When endorsing policies governing bodies may also inquire whether reporting parties are being provided with information on outcomes and sanctions relating to investigations, complaints, and disciplinarys. This is good practice, but the EHRC inquiry into racial harassment showed that this does not always happen for both staff and students when they make a complaint.

UUK's guidance on sharing data in harassment cases offers a framework for universities to share more information with reporting parties in harassment cases.

## **Resourcing**

Having dedicated staff teams to prevent and provide support to anyone from the university community who experiences harassment or sexual misconduct was regarded as invaluable by interviewees.

Governing bodies should be assured that tackling harassment is a strategic priority for their University and that clear objectives, targets, and actions supported with appropriate resources, are set. They may also find it helpful to receive regular reports that chart the University's progress against these actions and commitments, covering the available resources and recommendations for additional resources.

## **A clear approach to communication**

Effective, frequent, and clear communication is essential for universities tackling harassment. Universities need to clearly explain what constitutes acceptable and unacceptable behaviour to students, staff, and visitors. Staff and students need to feel assured that issues will be dealt with sensitively, appropriately, and effectively.

Governing bodies should receive assurance that this communication happens. More specifically, governing bodies should expect to:

- Receive information on campaigns the University is planning on harassment and sexual misconduct. All universities interviewed reported that their most successful campaigns had engaged students and the Students Union in raising awareness of issues and support available from the University and other local partners. Effective student engagement supports inclusive communications which reflect the diverse needs of student cohorts, staff and the wider community.

Having dedicated staff teams to prevent and provide support to anyone from the university community who experiences harassment or sexual misconduct was regarded as invaluable by interviewees.

- Receive assurance that there is appropriate student engagement in campaigns to prevent and address harassment and, if not, the reasons why.

Having oversight of their University's communications on harassment governing bodies can help drive change and support continuous process maintenance and reinforcement. To maximise the contribution of governing bodies, communication on harassment needs to be two-way so governing bodies understand the lived experience of those who have experienced harassment.

## Partnership working

Evidence of the benefits of partnership working and stakeholder engagement in addressing harassment can be found in the UUK Changing the Culture reports, evaluation reports from the OfS Catalyst funded projects, the UKRI Bullying and Harassment in research and innovation environments report, amongst others. All interviewees believe that effective engagement with partners, including staff, students, the police, community leaders, and specialist services, is critical in supporting students, training staff, and assessing the problem's nature and scale. All institutions reported that stakeholder engagement increased the quality of their response to incidents, their legitimacy, and their problem-solving capacity.

Reported examples of the benefits of good stakeholder relations include;

- The ability to share data to help identify trends in harassment and broader patterns emerging in local communities, which can be tested in university communities.
- Using the expertise of external organisations to offer a more specialist response to victims/survivors of harassment and sexual misconduct.
- Better informed and more effective institutional policies and procedures.
- Enabling universities to spread the benefits of their activities by embedding positive behaviours in social and sporting activities that take place off-campus.
- The facilitation of a culture of prevention and trust across the University.

By reviewing the partnership arrangements governing bodies can help identify gaps in provision, which should facilitate more effective practice.

## Monitoring and review

Monitoring and reviewing progress against the University's aims and objectives on harassment and thought-leadership on effective practice is another area that benefits from the oversight of governing bodies.

Governing bodies will benefit from being part of reviews of the provider's approach to harassment and receiving reports on the findings from these evaluations.

Interestingly all universities interviewed recognised that despite progress achieved in developing more effective systems and processes for tackling harassment, there was still more to do, and this was likely to be the case for some time.

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All institutions reported that stakeholder engagement increased the quality of their response to incidents, their legitimacy, and their problem-solving capacity.

## Appendix 5

### Case studies

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#### Practice in universities

In producing this guidance we spoke to several Chairs and staff at Institutions about their experience and the approach their university has taken in relation to harassment. Below are five case studies from, the University of Warwick, the University of Stirling, Cardiff University, Nottingham Trent University and the University of Sheffield, that illustrate practices and initiatives implemented by universities that were considered to be successful.

#### University of Warwick

The University of Warwick channels significant amounts of energy and resources into initiatives and projects designed to prevent harassment, discrimination and sexual misconduct in its university community. Warwick University's approach to harassment applies to all staff, students and visitors to the University and whether the incident reported occurs on or off-campus. Warwick's zero tolerance approach is embedded in its values (Our Values at the University of Warwick) which are embedded throughout the University; all reports are investigated. Staff and students are encouraged to report irrespective of their view of the severity of the incident.

Some of the most effective changes implemented were reported as :

- The introduction of Student Liaison Officers, working with teams across the University, covering prevention, intervention, and postvention support. The service provides awareness training sessions on disclosures for all students, departments, first responders e.g. Personal Tutors and Community Safety Team, and the Students' Union clubs and societies. Disclosures can be made through an online system aimed at ensuring that any University of Warwick student, member of staff, or visitor affected by harassment, discrimination or sexual misconduct can confidentially disclose their experience and gain direct access to specialised support. The Student Liaison Officers work across the University, with colleagues such as Personal Tutors, Department Heads and Chairs of Mitigation Committees on behalf of students to avoid students having to retell stories more than once and to maintain confidentiality.

*“The Student Liaison Officers are suitably qualified in dealing with disclosures and provide a friendly face for students and staff to report concerns or incidents and to help them through the reporting and disciplinary process, if they choose to. The Student Liaison Officers co-ordinate campus specific issues – accommodation, academic, financial and support – to reduce the need for survivors, responding parties and others involved to retell their trauma to different parts of the University.”*

- The publication of an annual report, approved by Council, which identifies the number of disclosures, cases, and outcomes “ *the publication of the report meant we could be open and transparent about the reported incidents, the support available, the disciplinary actions taken, the training and awareness impact and also outlined the priorities for the next year so there was clarity for all. This linked with our Active Bystander training helps to make us all accountable as members of our University community.*”
- Embedding the work on tackling sexual misconduct and harassment in the work of the Social Inclusion Committee, dedicated to addressing equality issues and with task groups feeding in. It was reported that the approach helped to highlight the intersectionality of harassment disclosures and enable a more informed and effective University-wide strategy .
- The creation of separate sexual misconduct policies for students and staff, recognising that sexual misconduct requires trauma support and trauma-informed investigation. Both sexual misconduct policies are reported to be working well.
- Increasing its collaborative work. The University has developed a strong partnership with the Students’ Union which helps to facilitate a culture of prevention and trust across the University.

*“Having a strong partnership with the Students’ Union was critical in enabling the University to deliver messages around trust and supporting engagement with students who might face barriers to reporting their concerns or experiences”*

It was also very clear that, for staff working in this area, having the support of Council and senior leaders to not shy away from engaging in communications on harassment and to be proactive and open on the work they were undertaking was invaluable.

The University was very clear that over recent years, they have made significant progress in improving disclosure services, preventative and awareness training and disciplinary processes, however, they were keen to emphasise there would always be more to do.

## Nottingham Trent University

Nottingham Trent University’s (NTU) approach to harassment is detailed in its Dignity and Respect Policy which forms of part of the University’s overarching framework for Equality, Diversity and Inclusion. All governing body members are aware of the Policy which is updated annually and provides information on a range of issues and actions the university will take in response to harassment reports.

The University’s values can be found throughout the Policy, which applies to staff, visitors and students and local communities. The Policy is clear that every member of the university community has “responsibility and opportunity” in relation to this agenda and that the University will not tolerate harassment, bullying, victimization and other unacceptable behaviours.

The University has developed a strong partnership with the Students’ Union which helps to facilitate a culture of prevention and trust across the University.

The Chair at NTU has good communications with the Executive lead at the University and has sight of all serious reports of sexual harassment and violence. This helps promote understanding and ensures that any emerging issues and trends are given sufficient attention and the priority required.

*“NTU is firmly committed to sustaining an inspirational, inclusive learning and working environment characterised by respect and dignity, and courtesy.”*

Chair

Since 2019 the University has introduced several initiatives aimed at supporting the prevention of harassment, hate crime and sexual violence. These include forming a specialist team on violence and sexual harassment in 2020 which included new posts such as a sexual violence project officer, a hate project officer and, a network of sexual violence liaison officers. The team was established to encourage disclosure and offer “safe and trusted support for survivors” giving all 40,000 students and 4,000 staff a single point of contact to raise any concerns or issues around harassment and sexual misconduct. The service has enabled 90% of students cases to continue their courses.

*“Establishing the team which operates across the university, and raising awareness that the team exists has been a “game-changer.”*

Chair

Other changes include:

- The introduction of mandatory consent training for all first-year students;
- The appointment of a Board Champion for Harassment and Sexual Violence;
- Ensuring that incidences of harassment and violence are escalated when reported and take precedent over other cases of misconduct;
- Undertaking a survey of student experience as its related to sexual violence once every two years. This is reported to the Board who find it useful in supporting two-way communication and being assured of the effectiveness of initiatives and communications to tackle and prevent issues emerging;
- Extending CCTV, lighting and helplines across campus.;
- More investment in collaborations to tackle harassment, hate crime and violence against women- NTU Chairs the Nottingham City Sexual Violence Action Network which has been praised by the Director of Public Prosecutions.
- Increased collaboration and engagement with students to raise awareness of issues and support available, from the University and other local partners. They have launched several campaigns in conjunction with the Student Union which have proved highly effective. In 2020 Nottingham Trent University (NTU) won the award for Outstanding Support for Students at the Times Higher Education Awards in recognition of the University’s work on sexual violence prevention and response. In accepting the award Sara Baldwin, Head of Student Support Services at NTU, said:

*“We would like to thank all the students, staff, and services that have worked with us to develop our response and prevention work, in particular, our Students’ Union and the local partner agencies involved in the Nottingham Consent Coalition. It is these partnerships that have enabled us to develop a truly great, sustainable service to support students and the wider Nottinghamshire community.”*

## The University of Stirling

The University of Stirling’s commitment to the promotion and mainstreaming of equality and diversity is embedded in its Charter and set out in an [institution vision Statement](#):

*“Our goal is to create and nurture a University culture and environment based on fairness, equality, cultural diversity, inclusion, and respect.”*

Its approach to preventing and tackling harassment and sexual misconduct is set out in its [‘Respect at Work and Study Policy’](#) which is part of a wider suite of policies that sits under the [University’s Strategic Framework for Equality, Diversity, and Inclusion](#). The University has also developed its’ own [Gender-based Violence Strategy](#) in partnership with the Students’ Union and has developed a comprehensive [Gender Based Violence website](#) which provides a range of information about support, prevention and the University’s strategic approach to preventing and responding to gender-based violence.

The University of Stirling also delivers comprehensive training for students, staff, governing bodies, and sports club coaches and officers, instilling into University culture that sexual and gender-based violence will not be tolerated and that everyone is accountable for challenging this behaviour in all forms.

The University of Stirling has a long-established collaborative approach to harassment and tackling sexual and gender-based violence which has been nationally recognised. It has developed strong partnerships with the Students’ Union and local agencies, including Forth Valley Rape Crisis Centre; Police Scotland and Forth Valley College; and the Dean for Equality, Diversity, and Inclusion at the University of Stirling is Chair of the Stirling Gender-Based Violence (GBV) Partnership which has shaped a Stirling -wide strategy to raise awareness of and tackle violence against women and girls.

The University’s investment in addressing gender-based violence and harassment includes:

- Establishing a team of Sexual Violence and Misconduct Liaison Officers (SVMLOs);
- Setting up a report and support service;
- Reviewing Ordinance 2, the Code of Student Discipline, to clarify that gender based violence is a level 3 offence (the highest category of offence)

The University of Stirling has a long-established collaborative approach to harassment and tackling sexual and gender-based violence which has been nationally recognised.

- Delivering comprehensive training for students, staff and sports club coaches and officers, instilling into University culture that sexual and gender-based violence will not be tolerated and that everyone is accountable for challenging this behaviour in all forms;
- Integrating training on GBV into staff and student induction and welcome processes, including encouraging completion of the online module *“Don't Be a Bystander, Be A Friend.”*
- Running Communications campaigns - the latest being “16 Days of Action” (also known as 16 Days of Activism) against gender-based violence which is an annual international campaign that runs between 25 November 2021 and runs until 10 December 2021.
- A number of Scottish universities and Students' Unions e.g. Stirling have adopted the impactful Erase The Grey campaign, which was first developed by Glasgow Caledonian University. The University of Stirling has adopted the campaign and promotes it widely across campus and via social media messaging.
- The University also schedules regular items relating to the EDI framework onto the agenda of its meetings of University Court, ensuring that members of Court are engaged in discussion about strategy and policy implementation

*“Our Board is very supportive and you really get a sense this isn't about compliance any more but the ethos of the institution.”*

University of Stirling

*“We have achieved a lot of success in this area, and the relationship with the Student's Union has been pivotal to this success.” We also recognise that despite the success achieved to date there is still more to do and this will always be the case as long as it's a societal issue.”*

Chair, University of Stirling

## Cardiff University

Cardiff University's approach to harassment is set out in its “Dignity at Work and Study Policy” which forms part of the University's EDI framework. The Policy aims to promote a working, learning and research environment and culture in which differences are welcomed and there is no tolerance of harassment, bullying and victimisation.

*“We are committed to offering a welcoming, inclusive and safe environment that will address negative discriminatory behaviours including those based on stereotyping and prejudiced attitudes. We operate a zero-tolerance approach to all behaviours of harassment, bullying and victimisation.”*

The University has a long history of undertaking work to prevent and tackle all forms of harassment. However, since 2016 the scale and pace of activities has increased significantly. In 2016 the University entered into a partnership with Birmingham University to create a disclosure response team comprising trained specialist staff with direct links to the police, local hostels, and sexual assault referral centres.

The response team provides face-to-face support and advice and there is also an online disclosure tool provided as part of the service. The team is highly regarded and is embedded in the University's Student Support and Wellbeing department. It continues to receive investment from the University and is considered to have been one of the main drivers for culture change in the University Community. In addition to the disclosure response team, the University also employs 130 trained dignity well-being champions to support staff and students

Cardiff University has found it particularly beneficial to have mechanisms for tackling and preventing harassment, firmly embedded in their governance structures. A range of groups and committees in its governance structures are tasked with tackling and preventing harassment. For example, issues are discussed in the University's Safeguarding Group which includes members of the governance team, representatives of the student disciplinary cases group, students and staff from the Students Union, and the manager of the disclosure response team. The Safeguarding Group reports to the EDI Committee which reports to the Governance Committee which reports to their Council/governing body.

The Council also appointed a Champion/Governor lead for harassment who is a lay member Council and is also Chair of the Governance Committee.

The Council receives three annual reports which cover harassment, hate, and abuse - an annual complaints report (including staff and student complaints, the reason for the complaint and action taken), an annual people management report, and an annual quality report which references student conduct.

The Chair at Cardiff University meets monthly with the Deputy Vice-Chancellor who is the Executive lead and whose portfolio includes harassment and sexual misconduct.

In 2021 the University published its renewed commitment to tackling violence and harassment. As part of this commitment the University has:

- adopted by-stander trainer for all staff and all students;
- set up a task group to make recommendations to the University on:
  - support enhancement for staff and students who may experience or witness harassment;
  - current policies and procedures, in the University, for addressing incidents and reports of harassment and,
  - the response service and areas requiring change or further development.
- agreed to review training for staff and students to identify areas for improvements and whether the training is appropriate for all staff and students irrespective of their learning preferences or engagement with the university. The review also aims to ascertain whether the training supports prevention as well as addressing issues.

Cardiff has found it particularly beneficial to have mechanisms for tackling and preventing harassment, firmly embedded in their governance structures.

The high priority the University affords to this issue is evident in additional staff resourcing in this area this year, however, the University recognises that further work may be required to ensure that governance structures are streamlined and responsibility and accountabilities are fully understood.

## The University of Sheffield

The University of Sheffield is committed to supporting people who have experienced any form of discrimination such as harassment, abuse, bullying, or sexual violence that may be based on race, gender, sexuality, disability or other characteristics. This commitment is set out in the Equality, Diversity and Inclusion Policy which reflects and complements the University's Equality and Diversity Policy and Code of Practice for Staff.

The University of Sheffield has two teams of specialist Sexual Violence Liaison Officers (SVLOs), one in Student Welfare and Wellbeing (for students), and the other in Residence Life (for tenants in student accommodation). The staff are trained to handle disclosures and support students who have experienced sexual violence whilst at university. It is based on the guidance provided by Lime Culture, a sexual violence training and consultancy organisation and in 2021 the University won the Lime Culture award for the best SVLO team) see:

<https://limeculture.co.uk/universities/>

They also have a 'Report and Support' platform and have dedicated and trained staff across the University who can provide support and advice which has encourages disclosures and helped to build a culture of trust.

They have formed a wider range of partnerships to support work in this area and have found this extremely beneficial, for example:

- Their Security Management Team is heavily involved with partnership initiatives across the city, involving the police, Sheffield City Council, community groups and other stakeholders;
- Their Head of Security is the chair of the city's multi-agency Hate Crime Priority group, which was formed to support and inform the work of the Sheffield Community Safety Partnership to address hate crimes across the city. The group has strong links with the Sheffield Chinese Community Centre
- They work closely with their Students' Union to build trust and engagement to support action to prevent and address issues emerging.

They have also taken action to embed harassment prevention in their governance structures:

- following an outcome of their Sexual Violence, Working Group in 2017, a Risk Assessment Panel process was established in November 2017. The Risk Assessment Panel is convened where a risk has been identified. In 2019-20, the Regulations relating to the Discipline of Students were updated to specifically reference the role of the Risk Assessment Panel within the new section on precautionary measures and the suspension of students.

- In 2020 they created a Sexual Violence and Harassment Operational Group to strengthen the approach and formalise the governance of the University's work combatting sexual misconduct, by reporting to the Sexual Violence and Harassment Steering Group. This operational group replaced a sexual violence working group which was initiated in 2016 and is tasked with the operational delivery of the University's approach to preventing, recording, and responding to sexual violence and harassment within the University community. This work is managed by an institutional action plan with multiple strands, such as training, communication, recording and support with work allocated to action owners and managed by the operational group.
- The Sexual Violence and Harassment Steering Group, chaired by the Provost & Deputy Vice-Chancellor, maintains awareness and oversight of sexual violence and harassment issues affecting both staff and students, approves institutional policy and associated action plans. It also produces an annual report to the University's governing body. The report is also shared with the University's Equality, Diversity & Inclusion Committee. Going forward, the annual report will include information on staff disclosures and reports, as well as those from students.

The University does not use NDAs in cases of sexual misconduct involving students and has signed the Universities Minister's Pledge to stop the use of NDAs, signalling its support for this initiative.

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The University of Sheffield has two teams of specialist Sexual Violence Liaison Officers (SVLOs), one in Student Welfare and Wellbeing (for students), and the other in Residence Life (for tenants in student accommodation).

## Appendix 6

# References and sources of information

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[Changing the culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students](#)

[Changing the culture: directory of case studies \(universitiesuk.ac.uk\)](#)

[Changing the culture: one year on – An assessment of strategies to tackle sexual misconduct, hate crime and harassment affecting university students \(universitiesuk.ac.uk\)](#)

[Changing the culture – tackling gender-based violence, harassment and hate crime: two years on \(universitiesuk.ac.uk\)](#)

[tackling-online-harassment.pdf \(universitiesuk.ac.uk\)](#)

[Unsafe Spaces: Ending Sexual Abuse in Universities’ \(John Edmonds and Eva Tutchell, 2020\)](#)

[Preventing harm in research – UKRI](#)

[How we expect universities and colleges to tackle harassment and sexual misconduct - Office for Students](#)

[Statement of expectations - Office for Students](#)

[Exceeding Expectations: The OfS’ guidance can \(and should\) go further \(culture-shift.co.uk\)](#)

[For all the survivors and everyone working on making higher education more equitable, we hope this is helpful. The 1752 Group and McAllister Olivarius. March 2020. Sector Guidance to Address Staff Sexual Misconduct in UK Higher Education. \(wordpress.com\)](#)

[the-1752-group-and-mcallister-olivarius\\_briefing-note-1.pdf \(wordpress.com\)](#)

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[Racial harassment inquiry: survey of universities | Equality and Human Rights Commission \(equalityhumanrights.com\)](#)

[tackling-racial-harassment-in-higher-education.pdf \(universitiesuk.ac.uk\)](#)

[Domestic Abuse Policy Guidance for UK Universities \(uclan.ac.uk\)](#)

[uuk-briefing-domestic-abuse-covid.pdf \(universitiesuk.ac.uk\)](#)

[Continuing the conversation: responding to domestic violence in higher education communities during Covid-19 \(universitiesuk.ac.uk\)](#)

[How universities can support LGBTQ+ students beyond Pride month \(universitiesuk.ac.uk\)](#)

[Tackling antisemitism: a practical guide for universities \(universitiesuk.ac.uk\)](#)

[Antisemitism on University Campuses.1609855878.pdf \(cst.org.uk\)](#)

[Tackling Islamophobia and anti-Muslim hatred: Practical guidance for UK universities \(universitiesuk.ac.uk\)](#)

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