

Independent Review into The University of Sussex's Response to Domestic Violence

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1 Introduction

- 1.1 On 1 September 2016 I was asked by Professor Adam Tickell, newly appointed Vice Chancellor of the University of Sussex, to review the University's response to a domestic violence case which had been widely reported (and criticised). The purpose of the review was to a) identify aspects of poor and good practice in the handling of the case and b) make recommendations to improve future policy and practice.
- 1.2 The case involves a domestic violence incident perpetrated by a postgraduate course leader and Senior Lecturer (hereafter SL) against a postgraduate student (hereafter PGS). The member of staff was arrested, charged, found guilty, and sentenced for this assault. This review does not seek to investigate further the incident itself but instead to focus on the response of the University. The SL is appealing against his conviction and the hearing is due to take place in April 2017.
- 1.3 In August 2016, after a journalist wrote about the case in a national newspaper, there was widespread criticism of the way the University of Sussex had handled the case - particularly questioning why the SL had not been suspended from work. In addition to the media attention and public outcry, a letter was sent to the incoming Vice Chancellor signed by over 300 University of Sussex staff and students. The letter called for a public investigation into the handling of the case, a task force to examine the University's policy and practice on issues of violence and harassment, and a commitment to the protection of all students in its care. There was also an online petition created that called for the dismissal of the SL, and this was signed by over 3,000 people.
- 1.4 My review consisted of six interviews of staff members at my request, two interviews volunteered by staff members, two interviews with staff from the domestic abuse charity Rise, an open evidence session with 35 staff (self selecting), an open evidence session with 30 students (self selecting), individual written evidence from 37 staff and students, collective written evidence from 20 members of staff, and a series of interviews with the PGS. The SL's input to the review was via email. Although there was some overlap between the above responses (particularly between the written evidence and those attending the open staff session), I estimate I have had input from over 100 different members of the University of Sussex community.
- 1.5 In conducting this review, I have been contacted by past and present staff and students and have been struck by their passion as a community - both for their university and for their care and concern for PGS. There exists a strong desire to firstly try to help the PGS and make her feel cared for and secondly to improve systems, policies, and cultures for future staff and students.

1.6 This report outlines the case chronology, lists the good and poor practice that I have identified, makes visible the impacts of the case on a range of stakeholders, as well as documenting some broader issues I came across. Finally, conclusions and recommendations are offered.

2 Case chronology

2.1 This section outlines, for reasons of clarity and transparency, what happened in terms of the University response. Many of those attending the open evidence sessions and providing written evidence wanted to know exactly what happened, when, and who knew what. Understanding the sequence of events was also important to the PGS. In some places this differs from what was reported at the time as new information has been uncovered as part of this review.

2.2 The SL met the PGS at a University organised event in September 2014. Following this event, the SL started communicating with the PGS and a relationship started soon after. The University of Sussex did not have a specific policy on relationships between staff and students. Such relationships are not prohibited but they are required to be disclosed under the University's Conflict of Interests policy.

2.3 Whether or not this relationship was disclosed in line with this policy is contested. The SL's line manager told me that the SL did not disclose to him that he was thinking about having or that he was in a relationship with a student. He does recall the SL asking him informally in a public area whether the university had any policy on relationships between staff and students. This version of events is disputed by the SL who told me that he did disclose the relationship to his line manager. I have found no evidence that any staff within the University were aware that the SL was being abusive to the PGS before the incident for which the SL was arrested.

2.4 The incident for which the SL was arrested, charged, convicted and sentenced for took place on the night/early hours of 24th/25th September 2015. The University were informed about this incident on 28th September 2015 by a member of the PGS's family via a telephone call to the University's Governance Office. The University's Governance Office contacted Human Resources (HR) who contacted the Head of Security, the Academic Registrar, and the Director of Student Services. This was later followed up by the PGS herself who was concerned that other students may be at risk and requested that the University take whatever action it could.

2.5 HR were not previously aware of any issues related to the SL or that he had been in a relationship with a student. They were of the view that while they have acted in other cases where incidents have taken place in the course of someone's work, that this case was different because it had been done outside of work in a personal relationship – although serious in nature, it was an offence that had happened outside the place of work.

2.6 The HR position was based partly on legal advice they had received in a previous case, which had occurred in the recent past, involving a member of staff as a domestic

violence perpetrator and a victim from outside the University. It was reported to me that in this previous case the University were advised that they should not be drawn into a matter relating to a member of staff's private life but that a manager should risk assess the employee's work situation and put measures in place to minimise any risk if the employee's work brought him into unsupervised contact with women.

2.7 The two cases differed in that in the previous case the victim was not a student of the University when the violence occurred and the relationship had not started as a result of contact at the University. However, HR reported to me that it was legal advice in relation to these circumstances that they relied on in the pre-conviction stages of the current case and they did not seek new legal advice until after the SL's conviction.

2.8 The SL informed his line manager that there had been an incident, in which the police had been involved, soon after his arrest. However, his line manager told me that the SL did not disclose that the incident had been a serious one and did not mention any involvement of a student. The line manager informed the Head of School about the SL's report of the incident and recommended to the SL that he speak to the Head of School directly.

2.9 The Head of School told me that he found out that the SL had been in a relationship with a student at the same time as he heard about the domestic violence allegation. HR contacted the Head of School and was told that the facts of the case were disputed and that the SL would be pleading not guilty. HR asked the Head of School to risk assess the SL's work situation as per previous legal advice received. The Head of School told me that HR directed him to conduct the risk assessment only at the point the SL was charged. The Head of School and HR both were of the opinion that the SL was not a risk generally.

2.10 HR told me that if the Head of School had felt there was a risk to others that they would have suspended the SL. Their argument was that he did not generally assault people at work – the assault was in the context of an intimate partner relationship and the PGS was no longer attending the University as her course had finished.

2.11 The Head of School told me that if the PGS had continued to be at risk or if they knew that the SL was a risk to anyone else then he would have acted differently. In assessing the risks posed by the SL he considered the following information: that he had received no other complaints of violence or abuse by the SL; that the SL had received good student feedback in previous years; that he was a well regarded, promoted member of staff; and that he had very little teaching commitments after the time he had been charged (only a few academic advisees, some MA dissertations and two joint PhDs).

2.12 In response to the question of why the SL was not suspended at the point the University came to know there was an allegation of violence committed by him, HR told me that they were following the ACAS (Advisory, Conciliation and Arbitration Service) code of conduct, which has legal force. The relevant part of the code of conduct, in their view, was that they could not automatically suspend a person, and that where a suspension was made that this suspension should be for as short a time period as

possible and be kept under review. HR said that a longer period of suspension would only have been possible if they felt that the SL would interfere with an investigation or if there was a health and safety risk. They said they did not consider garden leave an option as it is not an option in academic contracts and is more traditionally used after an agreement to terminate/resign from an employment contract. In summary, the HR position was that suspension was only possible if there was a health and safety risk or if suspension was going to be temporary for a short period of time.

2.13 From a School perspective, their understanding came from the advice given to them by HR. The Head of School's understanding from HR was that they could not start disciplinary proceedings until a conclusion had been reached by the criminal justice system and that suspension could only be for a short period unless there was a health and safety risk. The Head of School told me that he felt there was no advice he was given that would have allowed him to act any differently at this point.

2.14 On 13th December 2015 the SL was charged with assault by beating and criminal damage and bailed to attend court on 28th January 2016.

2.15 In June 2016 (following some delays), the SL was found guilty of assault by beating and damage to property - with sentencing to take place in July 2016. HR sought new legal advice specific to this case at this point following the SL's conviction.

2.16 The legal advice reported to me, as given to HR, was that it was an offence committed outside of work and that this did not automatically mean dismissal. Two factors were discussed. First, that if the SL were given a custodial sentence then this would have a direct impact on his ability to do his job and as such may lead to dismissal without disciplinary proceedings. Second, whether disciplinary action could be taken on the basis of the reputational damage of his conviction, whether his position would be untenable because of his misconduct, and whether his credibility in his area of work was now undermined. The advice was to make an informed decision after sentence was known whether to go for dismissal based on inability to do job (if custodial sentence) or otherwise start disciplinary action post sentence. If not dismissed, it was recommended that measures were put in place such as asking him to declare any relationships and generally 'keep an eye on him'.

2.17 The SL was informed on 12th July that the University would be considering his employment position when sentencing was known. On 13th July the SL was sentenced to a 22-week prison sentence, suspended for 18 months, 150 hours of unpaid work, and a restraining order. On 21st July the SL was informed that the University would be starting a disciplinary procedure. On 3rd August the SL was suspended – the impending media attention seems to have been one factor related to this decision. The disciplinary proceedings against the SL were ongoing when the case was publicised by the Independent newspaper on 12th August 2016. The SL resigned later that day.

3 Aspects of good practice identified

3.1 I have identified three aspects of good practice relating to two members of staff.

3.2 The Head of the University's Student Services division gave the PGS weekly emotional support from the time of disclosure until the trial. The Head of Student Services had a good understanding of the dynamics of domestic violence and was very supportive to the PGS. It is estimated that the PGS received around 50 hours of support up until the trial and continues to receive support now. In addition, the Head of Student Services attended the whole of the criminal trial. When the PGS was anxious about attending graduation the Head of Student Services assured her that the SL would not be attending the ceremony and that she would be there in the background if needed. The Head of Student Services' support was subtle, unassuming, and discreet.

3.3 From my investigation it appears that the Head of Student Services was the only person to proactively try to seek advice from an external organisation when she contacted the police to ask whether they perceived the SL to be a risk to others. (The police officer in question said she could not comment on whether he was a risk to others).

3.4 One female professor within the school was praised by some colleagues for speaking out where more junior staff did not feel able to. She and some other staff, mostly female, have carried an unrecognised heavy load in terms of emotional labour in recent months as the case has generated discussion about the response of the University and about domestic violence generally.

4 Aspects of poor practice identified

4.1 I have found there to be four broad areas of poor practice in relation to this case. These four areas relate to 1) The University's failure to follow and/or operationalise its own policies and procedures, 2) the inadequate risk assessment, 3) the over-reliance on and lack of scrutiny of HR decision making, and 4) the failure of the University to communicate with the victim and external organisations in a professional manner. In addition, there are some structural areas identified in section 5 of this report on wider issues and the impacts of the case.

4.2 The University failed to follow and/or operationalise its own policies and procedures.

This is definitely the case in terms of its policy on 'The Prevention and Management of Violence' and arguably the case in terms of its disciplinary procedure. This point of critique has overlaps with the other aspects of poor practice in this section and is returned to at relevant points.

4.2.1 In terms of 'The Prevention and Management of Violence' (2004) policy it appears that little of what it says on paper was followed and/or operationalised in practice.

'The University takes pride in providing a safe and stimulating environment in which its students can learn and its staff can work. Violence and violent behaviour are the antithesis of the University's aspirations and it does not condone violence in any shape or form. The University will ensure policies and practice that deter the threat or actuality of violent action, conduct or language.

The University recognises that violence is best prevented and that managing the impact of a violent incident is in itself managing a failure of practice and thus second best. Accordingly, weight will be

given to prevention by ensuring that staff and students are clearly aware of the University's policy in this area and of the consequences that might ensue should violent incidents occur.

The University will not shy away from using all the tools at its disposal, including referral to the police and to the courts, in attempting to ensure the avoidance of violence amongst the University community and those who engage with it.'

Despite being last updated over ten years ago, this policy statement is a bold and appropriate one and takes a firm stance against violence in the workplace. The problem is with the lack of operationalisation of the policy.

- 4.2.2 It is my view that the disciplinary procedure allowed for the SL to have been suspended, at least temporarily, at an early point in the process. This would also have been consistent with the 'Prevention and Management of Violence' policy's guarantee that the University would not shy away from using all the tools at its disposal. A member of staff having an intimate partner relationship with a student, possibly failing to disclose this relationship, and then being arrested for assault could have been viewed as a health and safety risk until a full assessment suggested otherwise. Failing to do so had the (likely unintended) consequence of implying domestic violence is not as serious as other forms of violence.
- 4.2.3 An initial temporary suspension could have taken place on the grounds of health and safety when the complaint was first made so that a full risk assessment could take place, in my view. Whether the suspension continued, and what work duties the SL was able to conduct, could then have been fully reviewed. At the very least, a suspension at charge or conviction could have been made, in my view, to fully assess health and safety risks. This view is one that is shared by virtually all members of the University of Sussex community that responded to this review.
- 4.2.4 While HR may have been doing a good job of protecting the University from an employment law perspective, this perspective is some way out of line with the views of those taking part in the review. Nearly all respondents felt that the PGS, in the less powerful position of being a student and the victim, was treated badly because of this apparent prioritisation of fairness to the member of staff and perpetrator. This also had ramifications on their feelings of safety at work and study, which are detailed further in section 5 below.
- 4.2.5 HR continue to maintain that suspension was not legally an option in their opinion. They maintain that suspension cannot be used for long periods of time. For this they rely upon the ACAS Code of Conduct that states:

'In cases where a period of suspension with pay is considered necessary, this period should be as brief as possible, should be kept under review and it should be made clear that this suspension is not considered a disciplinary action.'

(pg. 5, <http://www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf>)

Whether the period of time from complaint to sentence was too long to be considered 'as brief as possible' is a judgment call. However, the fact that the SL was not suspended at all, for any length of time, even following conviction, seems an overly generous interpretation of what 'too long' entails.

- 4.2.6 A period of suspension also seems in line with the University of Sussex's own policies. Section 16.1 of the Staff Disciplinary Procedure reads as follows (with my emphasis added):

Suspension is a very serious act and should only occur in exceptional circumstances i.e. where it is deemed necessary to suspend the individual to allow the investigation to be carried out. Any such suspension would be on full pay, for as short a period as possible, and would not constitute disciplinary action. All suspensions will be kept under review.

Examples of circumstances in which suspension may be necessary are where the hearing manager considers that:

the allegation may constitute gross misconduct;

the member of staff's presence at work may hinder the investigation;

there are health and safety concerns or other risks about the continued presence of the member of staff at work, e.g. risks to University property or to other individuals or the individual him/herself.

The definition and first two examples of actions which could constitute gross misconduct are listed in Appendix 3 of the the Staff Disciplinary Procedure:

2) **Gross misconduct** is defined as acts "resulting in a serious breach of contractual terms" for which dismissal is justified without previous warnings. By breaching any of the examples of gross misconduct given below, a member of staff will be at risk of immediate dismissal. It is recognised that there may be situations where action short of dismissal is appropriate, and equally, there will be acts that are not specified below which may be considered as gross misconduct.

3) Examples of action which could constitute gross misconduct

3.1) Theft or misappropriation of property of the University, any member of the University, or any visitor to the University.

3.2) Threatening or using physical violence on any member of the University, or any visitor to the University.

- 4.2.7 One of the problems here is the late stage at which a hearing manager was appointed – the formal University procedures did not begin until conviction in the criminal courts. Section 8 of the Staff Disciplinary Procedure reads:

8.1) Where an individual is under investigation for a criminal offence that may have been committed in the course of or related to his/her employment, and is in breach of the University's disciplinary rules, the Disciplinary Procedure will apply separately to any police investigations. In all such cases, advice should be sought from Human Resources before taking action.

- 8.2) If a member of staff is charged with or convicted of a criminal offence not related to work, advice should be sought from Human Resources as to whether there is any need for action by the University.

The Procedure allows for the University's rules to apply separately to police investigations where the offence was committed in the course of or related to his/her employment. Violence by a member of staff against a student should in my view be classed as being related to their employment, regardless of where and in what context that violence took place.

4.3 The risk assessment was inadequate. The risk assessment was based solely on what the SL chose to tell the university with no external verification. No checks were made with the victim or student services. No liaison was attempted with other organisations or experts internal or external to the university as part of this process. The risk assessment was delegated to school managers to conduct but the school managers had little if any knowledge of the dynamics of domestic violence. The academic undertaking the risk assessment did not have the knowledge, skills or experience required to conduct this risk assessment and the process was not documented.

- 4.3.1 Taking student feedback about the SL's teaching into consideration as part of the risk assessment was at best irrelevant and at worst inappropriate. That the SL was a well regarded and promoted member of staff was also inappropriate to take into consideration. These factors support domestic violence stereotypes and can compound feelings of isolation and blame (e.g. victims often interpret this as 'he was nice to everyone else so what was it about you that made him abusive to you?' or 'he can't be an abuser, everyone says he's really helpful and supportive'). This is information that someone with domestic violence expertise could have provided.
- 4.3.2 The fact that the SL only had individual level teaching (academic advisees, dissertation tutees, PhD supervisions) and no group teaching commitments should have been considered a factor that increased rather than decreased risk. In addition, allowing one to one student contact to continue has retrospectively made some of those students (who have contacted me as part of the review) feel vulnerable and question the University's care towards them.
- 4.3.3 Undue consideration was given in the risk assessment process that no other complaints of violence or abuse had been made against the SL. Violence, abuse and harassment are vastly under-reported crimes which victims find it difficult to speak out about. School managers failed to recognise that the way the SL acted towards them as male managers was not necessarily the way that he interacted with those with less power, including students, early career academics, and some administrators.
- 4.3.4 Neither HR nor the school acted in a proactive manner to assessing risk. The school relied solely on information it was given from the SL. HR took a passive approach, noting that there was nothing in the SL's bail conditions that prevented him from

entering the workplace and noting that the police had not contacted them to specify any workplace concerns.

- 4.3.5 The 2004 University of Sussex Prevention & Management of Violence policy states that advice should be sought from those with relevant expertise:

In formulating a risk assessment line managers should seek advice as necessary from Units that may have an involvement or expertise (Security, Health, Safety and Environment Office (HSEO)) in dealing with violent incidents and behaviour.

- 4.4 **There was an over-reliance and lack of scrutiny of HR decision making.** In conducting their role of protecting the University from legal challenge regarding employment law, no other voices or opinions were able to be heard, no scrutiny was possible, and no other professional services or academic managers were able to have meaningful discussion or input.

- 4.4.1 Updated legal advice should have been sought at an earlier stage given the individual and political differences between this and the previous case and the seriousness of the case. No new legal advice was sought until after conviction, despite the case being different (in that it involved a student and a lecturer rather than a member of the public and a member of research staff). There was also a political shift that had been taking place during these months that had been playing out in the media – that of students speaking out about violence and abuse at other universities and a public critique of the (in)actions taken by these universities.

- 4.4.2 Greater information sharing with others within the University (professional services departments and academic managers) is likely to have improved the response. Other professional services departments that needed to respond were not involved at an appropriate stage in the response and/or their response was limited and shaped by HR. If HR had worked more closely with others, without sharing personal information unduly, then they may have been more alert to the changing landscape that was increasingly requiring greater university action in cases such as this one.

- 4.5 **The University failed to communicate with the victim and external organisations in a professional manner.** The lack of communication created additional and unnecessary stress. It also resulted in no one having an overview of the full picture at any point until this review. All parties recognised the need for confidentiality in line with employers' responsibilities regarding personal information. However, there existed a complete 'wall of silence' (to use the words of the domestic abuse charity Rise) regarding the basic actions the University was taking or the policies it was following.

- 4.5.1 The failure to let the PGS know what actions the University was taking made the PGS doubt whether her complaint was being taken seriously and whether she was being believed. A fear of not being believed is a common reaction of domestic violence victims who have spoken out and the University's lack of response compounded this.

- 4.5.2 Although the PGS received valuable emotional support from the University's Student Services Division, they were unable to answer any of her questions around what

actions the University was taking regards her complaint. This aspect was missing from the support given to the PGS but it was a very important part. The PGS had specifically requested in her complaint that the University take whatever actions it could, and she received no response in relation to this. It compounded her feelings of powerlessness and anxiety. It was this complete lack of communication over a long period of time (9 months from written complaint, 11 months from initial complaint) that led the PGS to involve the media.

- 4.5.3 People within the University tasked with working in multi-agency settings were similarly not informed of the actions the University was taking. This prevented them from conducting themselves in their usual professional manner. As detailed in section 5 below, this has had the impact of damaging relationships with external organisations.
- 4.5.4 Student Services attended the trial and were 'repeatedly' asked questions about what actions 'the University' were taking. As no one was clear what process was being followed and what actions had been taken 'the University' became restricted and synonymous with the HR response. Student Services and other members of the University were no longer seen as 'the University'.
- 4.5.5 Information on the website is difficult to find and understand, particularly for those anxious or in periods of crisis. Where information did exist, it was difficult to reconcile the policy position with the approach seemingly being taken.

5. Wider issues and impacts of the case

5.1 The University response has had a negative impact on the University's reputation.

Many of the staff who wrote to me or attended the open session told me that they felt the case had negatively impacted the University's reputation nationally and internationally – particularly in terms of its high profile in gender studies. Staff felt embarrassed about the University's failure to suspend the SL and felt uncomfortable, angry, and sad about what had happened to the PGS. One of the students who attended the open session said she would not have come to the University of Sussex if she had known about the case before arriving.

5.2 Relationships with external organisations have been damaged. Other organisations in Brighton – including the domestic violence organisation Rise, the multi-agency violence against women and girls' forum, and witness support - felt they were not communicated with and felt that their professional expertise and experience was not respected by the University. This was particularly difficult for staff with involvement in these organisations either as university representatives or as volunteers.

5.3 During my review I received reports from other members of the University community who said they had themselves experienced abuse and harassment. This abuse and harassment was linked to their sex, gender identity, sexuality, and/or disability. I have not been able to investigate these cases fully as this fell outside my terms of reference. However, these individuals reported to me that they felt that there were no avenues for

creating change and that this resulted in a negative work/study environment for those experiencing it. A factor that connected these cases and the PGS's case is what is seen by the victims as a primary concern by the University for the alleged perpetrator. Comments such as 'he's under a lot of stress', 'he's got a lot going on right now' and 'he's having a hard time' were reported to me as some of the responses given to the complainants.

5.4 The response to the PGS was not an isolated occurrence. An individual who was not a student or employee of the university but in a relationship with a member of staff and a victim of domestic violence perpetrated by that staff member wrote to me as part of the review process because of her concern over similarities over the way she and the PGS were treated. Like the PGS, the complainant wished to know what actions the University could take but this information and communication appears to have been extremely limited. I have not been able to investigate this case fully as it fell outside my terms of reference. Further, it is outside the scope of this review to assess whether a thorough risk assessment took place in this case or whether any actions taken by the University were appropriate. However, the apparent lack of respectful communication to someone speaking out about violence experienced by a member of University staff has clear overlaps with the the PGS case.

5.4.1 A further case was brought to my attention where female staff were made to feel unsafe. In this case, a male contractor was reported to the police for his behaviour towards a female student. I was told that staff found out about this incident 'by accident' and had otherwise not been informed of any risk and had not been able to take steps to minimise lone working in the building.

6. Conclusions and recommendations

6.1 The University failed in their duty of pastoral care towards the PGS. On top of the emotional support she received she should have been kept up to date with the broad actions (e.g. risk assessment undertaken, stage at which the disciplinary procedure was at) that were being taken, subject to the University's contractual and statutory duties of confidentiality. Failing to do so caused her considerable stress and anxiety over an extended period of time.

6.1.1 *Recommendation 1 is that the University make a public apology to the PGS.*

6.2 That the University had policies in place, albeit dated, that strongly prohibited violence within its community and considered violence to be an example of gross misconduct, should have been a positive factor. However, this led to expectations that bolder actions would be taken than was the case in practice. When the actions outlined in policy were not followed, or such actions were not communicated, this sent the message that violence between members of its community off campus was not as serious, or not as much a concern to the University, as violence on campus.

6.2.1 *Recommendation 2 is that the University clarify Section 8 of their disciplinary procedure to be clear about the timing of actions taken by the University in the event*

of ongoing criminal justice proceedings. This should be cross referenced with the Prevention and Management of Violence policy.

6.2.2 *Recommendation 3 is that the Prevention and Management of Violence policy maintain its approach to condemning violence in any shape or form and providing a safe and stimulating environment for staff and students but that in addition:*

6.2.2.1 *A University wide working group be convened to update this 2004 policy in line with the statutory Public Sector Gender Equality Duty, the Equality Act 2010, and changes to the University structure and systems. This working group should include staff who specialise in violence research, equality and diversity representatives, student representatives, external organisations, and representatives from relevant professional services departments including wellbeing, human resources, and security.*

6.2.2.2 *That the policy is fully operationalised, including ensuring that updated information and guidance is available and an accessible procedure is in place to promptly and effectively deal with complaints of violence (as stated in the policy).*

6.2.3 *Recommendation 4 is that the University should develop a clear policy on staff-student and staff-staff relationships. This could be part of the Code of Conduct for University staff. All relationships should be disclosed and recorded, regardless of whether a potential conflict of interest is present. Staff-student and staff-staff relationships where one staff member is in a relative position of power (e.g. Lecturer-student or Professor-research assistant) should undergo additional and ongoing checks.*

6.3 It was inappropriate to delegate the risk assessment to one person with little knowledge of domestic violence or relevant risk factors. The risk assessment was a crucial part of the process. If it had been judged that there had been a risk in terms of health and safety, then the SL would have been suspended. The risk assessment was inadequate and was not documented. Assessing risk in cases of domestic violence and abuse is a complicated task. Usually, specific risk assessment tools are used and training is given to those who are required to do such assessments.

6.3.1 *Recommendation 5 is that all risk assessments involving violence, abuse, harassment or other issue linked to power, gender, and any of the other protected characteristics under the Equalities Act should be documented and include input from a) an external expert b) a representative from another department – with a specialism in the area of the complaint if possible and c) representation from the person making the complaint – either the complainant themselves or a person supporting them. Information gathering should be an active not passive part of the process.*

6.4 Blanket terms such as ‘legal advice’ and ‘confidentiality’ were used by HR to explain their lack of information sharing. This meant that any flow of information out of HR to the rest of the University, to external partners, and to the victim became blocked. HR became synonymous with ‘The University response’ – detached and cut off from their

colleagues. While it is of course important to protect personal information, basic information on the processes being followed, e.g. what steps were being taken to assess risk and at what stage disciplinary proceedings would start would have allowed greater scrutiny of HR decision making and for others to have meaningful discussion or input.

6.4.1 *Recommendation 6 is that, while protecting personal information, HR should be more open to discussion and challenge by other senior managers when deciding what actions to take (including whether to suspend) in cases where allegations of gross misconduct are made.*

6.5 The University should have communicated with the victim and external organisations in a more professional manner. Not doing so created additional and unnecessary stress and led to a perception that the University was concerned only with protecting its staff member.

6.5.1 *Recommendation 7 is that a single point of contact in the University should be created for complaints of violence, abuse or harassment concerning staff or students.*

6.5.2 *Recommendation 8 is that information should be easily accessible on the University website about how to make a complaint, which policies and procedures will be followed and in what time period, and what support is available to victims.*

6.6 The reports of additional cases of violence, abuse, and harassment I received during my investigations may be seen to indicate a structural problem about the respect and dignity accorded to victims of violence, abuse and harassment. The difficulties related to speaking out about violence against University staff have been underestimated and the power dynamics not properly understood and/or considered.

6.6.1 *Recommendation 9 is that training be given to managers on understanding the dynamics of gender, power, violence and abuse, how this intersects with other protected characteristics under the Equalities Act, relevant referral routes and internal policies.*

6.6.2 *Recommendation 10 is that staff and students who have tried to speak out about violence, abuse and harassment in the past, including but not limited to those who came forward as part of this review, be offered a meeting with a senior manager of the University (for example one of the new Deputy Pro Vice Chancellors for Equality and Diversity) following which the University can examine whether any actions need to be taken in any of these cases.*

6.7 The University of Sussex community – both staff and students, led by its new Vice Chancellor, has reasserted its policy position that ‘violence and violent behaviour are the antithesis of the University’s aspirations’ in the responses they have given as part of this review.

6.7.1 *Finally, recommendation 11 is that this passion, energy and commitment should be harnessed and mobilised. A University wide conversation about how to support*

victims of all forms of violence, abuse and harassment and how to manage allegations of the perpetration of these offences when they are members of the same community should be started. This should focus not only on responses to individuals but also have a strong preventative and cultural change focus.

6.8 By taking bold actions and investing in the operationalisation of appropriate policies, the University of Sussex can work towards reasserting its position as being at the forefront of progressive political and gender equality issues.