



Sexual Violence Working Group

Report and Recommendations

July 2017

Chair: Baroness Helena Kennedy, QC and Principal of Mansfield College, Oxford
[REDACTED] Student Welfare and Support Services

Contents

Introduction	3
1. Background	6
2. UUK Recommendations and Self-Assessment	8
A. Senior Leadership	8
B. Institution-wide approach	8
C. Prevention	9
D. Response	11
Summary	13
3. Institutional Strategy	14
A. Sexual violence support centre	14
B. Breaches of the University Code of Discipline	17
C. Communications	19
D. Further considerations	20
4. Summary of Recommendations	23
5. Public Sector Equality Duty	26

Introduction

Sexual violence on university campuses has become an issue of growing concern everywhere. Universities UK published a report last year strongly urging universities to put in place appropriate structures to change the culture of impunity for rape and sexual harassment which has persisted over many years in higher education.

The issue of sexual violence and abuse is very highly charged. For too long the victims of abuse remained silent through shame and fear but those who have been abused are now gaining their voices. However, there remains a lack of confidence in the Criminal Justice System in the handling of such offences. Many institutions in the UK have also come under the public spotlight for past failures to take allegations seriously. The temptation for respected bodies and the Establishment to put institutional reputation ahead of individual justice for victims has become a source of scandal.

It is vital that here at Oxford we make every effort to get this right. As I have learned in chairing the Working Group, our university is by no means immune from this conduct. In reality, there is no organisation in the land that is free of sexist, abusive behaviour. I received many communications from students and academics describing sexual misconduct. I also had meetings with a number of Heads of house and administrators, who shared accounts of student complaints. The working group which consisted of leading welfare specialists within the university and a representative from the Proctors Office as well, as student organisers, all had experience of such events.

Like everywhere, we have a problem. Creating cultural change inside ancient, elite, academic institutions is not easy. However, if we can affect real change in attitudes and dispel any sense of entitlement or disrespect in human relations, the knock-on impact within society would be huge. If our young accept that there is zero tolerance for exploitative, abusive behaviour, they will lead societal change as they go on into their professional lives.

Oxford University has a very impressive welfare framework with exceptional people employed to deal with the problems students face. There is no criticism of their skills. Many examples can be given of cases where support and advice has led to positive outcomes that have satisfied complainants. However, many students never reach those sources of help. They are confused as to whether they should risk raising issues within the small community of their college and do not always know of what is available at University level. There needs to be a clear, well-signposted process which is centralised. Currently there is too much confusion amongst the student body as well as staff as to where to go and what to do.

It is most often women who experience sexual violence and abuse but not exclusively. Given that it is rooted in abuse of power, it is by no means confined to women. Young men experience it too though more often from other men. Stalking and harassment is not gender specific. Those who do not accept binary gender identities are often most vulnerable to abuse.

Because Oxford has a college system, the strong sense of community and tribal loyalties make it very hard to complain about the conduct of a student colleague. Many students who have been

raped or suffered a sexual violation do not want to involve the police. Those in authority are not sure what to do then. The vital action is to persuade any complainant to go to the Slough SARC (Sexual Assault Referral Centre) and to have a college system where transport there is paid for. There is no requirement to report to police but by attending and being medically examined, and having forensic evidence preserved, a later decision to prosecute is not undermined by the absence of this kind of evidence.

Current systems in the collegiate University seem remote and impersonal to students and to young women particularly. For this reason we strongly advocate the creation of a Centre which has highly trained personnel and a separate appropriately-trained Independent Reviewer. It is unfair to expect academics to deal with such fraught and sensitive allegations.

We strongly advocate that colleges and the University should not seek to compensate for the failures of the Criminal Justice System. Neither Colleges nor the University should instigate rape investigations. However, that does not mean that no steps should be taken to deal with breaches of the Codes of Conduct of the University, for example by the use of abusive or harassing words or behaviour. We have set down a process for handling such alleged conduct.

The key reforms we recommend:

- One university referral centre.
- No role for colleges or Proctors in the handling of sexual allegations as between students.
- Vocal leadership within the University and Colleges insisting on zero tolerance.
- Continuation and expansion of OUSU's sexual consent workshops.
- Training across the collegiate University on the duties of staff.
- All students running clubs and sporting associations and other bodies to be alert to their responsibilities to create a culture of zero tolerance of sexism, sexual abuse and violence.

There are two additional matters I would draw to your attention. This short inquiry has made me aware of two areas ripe for further action. A number of people raised concern about sexually abusive conduct between professors/tutors/supervisors/teachers and their students. This would require a different piece of work, as it involves employment law and breaches of contract as well as any criminal liability. I think the university and colleges should look at this issue very soon as it is allied to the question of culture within the institution. If senior people are behaving badly why should we expect students to behave differently?

Secondly, the role and purpose of the Proctors should be reconsidered in the 21st century. There is no doubt that the university benefits from the skills of academics in investigating and handling allegations of plagiarism, cheating and other scholarship transgressions. However, in my view, the ambit of the role should be carefully reassessed so that they are not burdened with inappropriate duties.

It has been a privilege working with such committed university staff and students on this important issue. I would especially like to thank [REDACTED] for her dedicated and skilful work in preparing the report. I hope our recommendations find favour with the colleges and the university.

Helena Kennedy QC
Baroness Kennedy of the Shaws.
Principal of Mansfield College.

CONFIDENTIAL

1. Background

Universities UK (UUK) published a report in October 2016 entitled 'Changing the culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students'.¹ Emanating from the work of the UUK Task Force on violence against women, harassment and hate crime, the report detailed a number of recommendations for UK institutions in four broad areas:

- A. Senior leadership
- B. Institution-wide approach
- C. Prevention
- D. Response

In addition to the report and recommendations in these four areas, guidance was also published by Pinsent Masons LLP in relation to how institutions should respond to student misconduct which may constitute a criminal offence, with specific recommendations in relation to sexual misconduct.

In response to the UUK report, the University established a time-limited working group to examine both the UUK report and Pinsent Masons LLP guidance and deliver a report with recommendations to the Pro-Vice Chancellor for Education who is the institutional lead on this issue. The group was chaired by Baroness Helena Kennedy QC, Principal of Mansfield College and the Project Officer was [REDACTED] Student Welfare and Support Services. This joint working group comprised College and University members:

- [REDACTED] New College
- Gillian Hamnett, Director of Student Welfare and Support Services
- [REDACTED] Equality of Diversity Unit
- [REDACTED] Equality and Diversity Unit
- [REDACTED] Legal Services
- [REDACTED] Conference of Colleges Secretariat
- [REDACTED] [REDACTED] Proctors
- [REDACTED] OUSU [REDACTED]
- Representatives of the OUSU Women's Campaign and It Happens Here Campaign

The Terms of Reference for the group were as follows:

1. Consider the recommendations of the Universities UK taskforce of relevance to the University, in relation to all instances of sexual harassment and violence, affecting all students.
2. Propose a University-wide strategy on sexual harassment and violence, which addresses in particular:

¹ <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/changing-the-culture-final-report.aspx>

² [REDACTED]

³ [REDACTED]

- a. Prevention, including but not limited to, induction, training, bystander intervention and culture change.
 - b. Response, including but not limited to, disclosure, reporting and partnership arrangements with local agencies and specialist services
 - c. Managing disciplinary issues that may also constitute a criminal offence.
3. Consider whether the University needs to take further action in relation to instances of sexual harassment or assault of students by members of staff.
4. Have due regard to the Public Sector Equality Duty when considering the above issues, proposing the University-wide strategy and making recommendations.
5. Make recommendations where required, to relevant committees and other University and college bodies, for changes to current policies, procedures and processes, including but not limited to the Harassment Policy and Procedure and college equivalents.

The Working Group met five times throughout Hilary and Trinity term 2017. In addition, three one-off subgroups met to look at specific recommendations from the UUK report including bystander intervention training, centralised reporting systems, and partnership agreements with students on behavioural expectations. A further discussion group was convened with students from It Happens Here and the OUSU Women's Campaign to look at improving communications. In addition, an interim report was provided to Conference of Colleges in June 2017. The following report and recommendations are the result of the work of the Sexual Violence Working Group, the views of Conference of Colleges, and the additional participants in the subgroups whose input was immensely valuable.

It is worth noting that the remit of the group was to consider the recommendations of the UUK taskforce 'in relation to all instances of sexual harassment and violence'. However, the UUK taskforce included further recommendations relating to hate crime against students. Further work will be needed in this area. In addition, the UUK report did not address cases of student complaints against staff; however, UUK have identified this as an area of further work. The working group felt the immediate priority was to work on student/student cases, and return to the question of staff/student cases following further UUK guidance.

2. UUK Recommendations and Self-Assessment

Following the publication of the UUK report, a self-assessment was made of the University's policies, procedures and processes against the recommendations of the Universities UK Task Force on violence against women, harassment and hate crime. This self-assessment was produced by [REDACTED] Equality and Diversity Unit (EDU) and former Director of Student Welfare and Support Services (DSWSS), with input from Legal Services Office (LSO), [REDACTED] Proctors, and OUSU [REDACTED]. This self-assessment did not consider the separate legal guidance by Pinsent Masons on how HEIs should handle potentially criminal misconduct by students.

It is worth noting that the recommendations are designed for unitary institutions. One of the main challenges will be translating them to our devolved structures where colleges currently have lead responsibility for some of the key pillars of any strategy in this area, particularly induction and response in college cases – particularly in respect of undergraduate students.

A comprehensive survey of the Collegiate University's position can be found in Annex B. The following section summarises the recommendations for a University strategy in addressing key areas where gaps exist against the UUK recommendations or where improvements could be made. It is important to note that the following relates to the University-context, and does not encompass policies, procedures and processes by individual colleges.

A. Senior Leadership

The UUK Taskforce recommends that all **university leaders** should afford tackling violence against women, harassment and hate crime priority status and dedicate appropriate resources to tackling it.

2.1. The Pro-Vice Chancellor (Education) is the institutional lead in this area and the Principal of Mansfield chaired the joint working group. The Working Group further considered whether senior University staff should take a more proactive role in communicating expectations of behaviours among students and speaking out publicly; the role of Heads of House in communicating expectations to students, particularly at the start of the academic year. In addition, the group discussed whether the current resources split across DSWSS, EDU and the Proctors' Office could be better unified.

B. Institution-wide approach

The Taskforce recommends that universities should take an **institution-wide approach** to tackling violence against women, harassment and hate crime (*using the report as a guide*).

2.2 The University has a single Policy and Procedure on harassment which encompasses sexual violence. The EDU worked with colleges during 2015 to adapt the Policy and Procedure to the college environment, producing a template college Policy and Procedure. Around half of all colleges have now adopted this. There is also dedicated guidance annexed to the Policy and Procedure on harassment on handling cases of sexual violence;⁴ dedicated student-facing

⁴ <https://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/>
<https://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/>

resources and guidance on when the Proctors will investigate serious criminal conduct. At present, the University Policy does not specifically address hate crime, and further consideration may be needed as to whether the University should do further work in this area, pending the UUK work. The Working Group further considered whether separate processes for disclosure and taking forward complaints is needed in addition to the Harassment Policy and Procedure.

The Taskforce recommends that universities provide their **governing bodies with regular progress reports** summarising what progress has been made towards adopting a cross-institution approach. Universities are also encouraged to provide **regular reports to governors on incidents of violence against women, harassment and hate crime**, disaggregated by the category of the incident, including year-on-year trends (where available) and a summary of what action the institution has taken to address these trends. Further, this should include reporting on the resource made available and used to support an effective cross-institution approach, including any recommendations for additional resource.

2.3. While the Harassment Policy and Procedure was agreed by Council in December 2014, there has been no formal report back to Council or to Conference of Colleges. However, casework data handled by the EDU and SWSS is reported to the Student Wellbeing Subcommittee (SWSC) which reports to Education Committee. The working group considered the format and timing of regular reporting to SWSC, including in relation to any institutional risks.

The Taskforce recommends that universities carry out a regular **impact assessment** of their approach. This should include exploring students' perceptions of safety and the effectiveness of their institution's response and assess staff understanding of what to do in the event that a student reports an incident to them.

2.4. The Collegiate University currently does not produce regular impact assessments, although all policies and procedures are required to have regard to equality under the Public Sector Equality Duty (PSED). With respect to exploring students' perceptions of safety such as campus climate surveys, the working group believed that a UK-wide approach would be most effective.

The Taskforce recommends that universities involve their **students' union** in developing, maintaining and reviewing all elements of a cross-institution response.

2.5. The current Policy and Procedure was developed in close consultation with OUSU, and OUSU representatives were members of the working group. It is intended that OUSU would be involved in any future developments following the recommendations of this report.

C. Prevention

The Taskforce recommends that universities should adopt an **evidence-based bystander intervention programme**. In doing this, universities will need to (i) assess the budgetary requirements to enable this training to take place and (ii) determine whether training can be organised jointly with other institutions in the same region to improve efficiency.

2.6. The EDU adopts some elements of the intervention approach in training harassment advisors and others, but has not had the resource to develop a full suite of materials. OUSU piloted with students a single bystander initiative workshop and is considering the potential for including a bystander element into future consent workshops; Somerville incorporates some bystander elements into its sexual consent workshops; and the Good Lad workshops adopt a bystander approach. The Working Group established a one-off subgroup to look at this area.

The Taskforce recommends that universities should ensure that **partnership agreements between the student and the university highlight up front the behaviours that are expected from all students as part of the university community**. The agreement should also set out the disciplinary sanctions a student could face if they fail to meet these behavioural obligations. The university's commitment to ensuring the safety and wellbeing of students should also be clearly set out, reflecting that both the institution and the student have obligations.

2.7. The Terms and Conditions which students agree to when accepting their offers set out some general behavioural expectations, however the University does not specifically articulate or promote any forms of behaviour expected of students in this area in a more detailed way, which is a key tenet of the UUK recommendations; however, there is a Code of Discipline which sets out prohibited forms of behaviour. The Working Group established a one-off subgroup to consider this issue and recommended further work in this area to increase the visibility and awareness of the Code of Discipline and to promote a strong culture of openness and equality in which people are treated fairly and with dignity and respect and which, by extension, is firmly discouraging of unacceptable conduct. In addition, the role of Heads of House in communicating behavioural expectations was considered.

The Taskforce recommends that universities should embed **a zero-tolerance approach across all institutional activities** including outreach activities with schools and further education colleges, engagement with local bars and nightclubs, student inductions (including international student inductions), and student information.

2.8. OUSU and its affiliate campaigns have undertaken significant work in this area. OUSU runs consent workshops which are compulsory for undergraduates and available to graduates and sports teams; the Good Lad Initiative, which was founded in Oxford, provides workshops to sports clubs (all-male discussion groups empowering men to explore complex gender situations and be positive agents of change: workshops are again targeted at sports teams); OUSU also raises awareness of sexual violence across the Collegiate University, and engages in advocacy with the University and colleges to improve support for survivors. In addition, in collaboration with Code4rights, OUSU developed the First Response App.

2.9. OUSU have joined the national 'Good night out campaign', which trains Union and university staff in creating a safe environment free from sexual harassment; and the OUSU President is introducing a 'Charter Mark' for clubs and societies, which promotes and rewards (through discounts) engagement with activities which support good behaviour – e.g. the consent workshops.

2.10. The Working Group further considered the extent to which it is possible to embed or enforce a 'zero tolerance' approach across all activities, particularly in a devolved and distributed organisation where responsibilities are diffuse.

The Taskforce recommends that universities should take meaningful steps to embed into their human resources processes (such as contracts, training, inductions) **measures to ensure staff understand the importance of fostering a zero-tolerance culture** and are empowered to take responsibility for this.

2.11. In response to the staff survey results, all Medical Sciences Division (MSD) departments have committed to training all staff on harassment and bullying; and some departments in Social Sciences Division (SSD) and the Mathematical, Physical and Life Sciences Division (MPLS) have made similar commitments. Training is primarily focused on general staff harassment cases and does not specifically focus on sexual violence in respect of students. However, in practice, most incidents of sexual violence between students occur between undergraduates, so the college context will be more important. The working group considered what additional provision colleges might make for key groups of staff.

D. Response

The Taskforce recommends that universities should **develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape**, working with relevant external agencies where appropriate. This should be communicated at regular intervals to all staff, including at induction for new starters and should be readily accessible. This should include a clear care pathway which includes details of external support services that students can be signposted to and the different options available to them. It should also make clear where victims/survivors should be referred to within the university to access appropriate support. Universities should also identify relevant staff to receive **specialist disclosure training** using appropriate specialist services in the region.

2.12 The University has resources available for students wishing to report an incident and guidance for those receiving a disclosure. The role of the Director of SWSS (DSWSS) has oversight over student cases, while the First Response App can provide immediate support and signposting. However, due to the complexity of the collegiate University, reporting routes and response mechanisms available to students continue to lack clarity in the absence of centralisation. The Working Group considered this issue and have developed clear recommendations on this issue in relation to developing a centralised resource and improved processes for students. (See Section 3: University Strategy). With respect to training, see 2.14 below.

The Taskforce recommends that universities should **take reasonable and practicable steps to implement a centralised reporting system**. This should offer students different accessible mechanisms to report incidents, allow for anonymity if preferred and signpost individuals to relevant internal and external support. Any system should enable accurate data to be captured to determine the scale of a problem and track year-on-year trends.

2.13. The nature of the collegiate University means that individuals can report in college, to a department, or centrally (DSWSS, Harassment Line, OUSU). Harassment Advisors, the Harassment Line, DSWSS and OUSU all individually log incidents disclosed to them. It is not currently possible to disaggregate those records and produce a single log of reports, though it should be possible to achieve greater co-ordination of internal reporting of informal complaints. The Working Group established a one-off subgroup to further consider this issue and to make recommendations (See Chapter 3, Section D).

The Taskforce recommends that universities should conduct **a thorough assessment of which staff members need to be trained and what training** needs to be provided. A clear, multi-tiered training strategy covering different types of incident can then be developed. Where possible, this should identify external sources of expertise and consider whether engagement with other institutions will minimise the burden on specialist support

2.14. The EDU trains all 386 harassment advisors in departments and colleges in receiving disclosures, and ensures they are aware of specialist resources on sexual violence. The University has provided OSARCC training for a number of Harassment Advisors and Counsellors.⁵ There is additional Counselling Service/Oxford City Domestic Violence Advisor training for ‘front-line’ college staff who are likely to be in receipt of a disclosure.⁶ Furthermore, OUSU have provided training for several hundred first responders among the student community, primarily on an ad hoc basis, college by college, and with members of student Campaigns. The Working Group considered further guidance to college and University staff on this issue.

The Taskforce recommends that universities should build and **maintain partnerships with local specialist services** to ensure consistent referral pathways for students. Institutions need to be mindful of the limited availability of these services and consider funding additional support to overcome students accessing specialist support in a timely manner.

2.15. The Thames Valley Sexual Violence Prevention Group has been established with the aim to develop and implement a work programme for preventing sexual violence, Thames Valley wide, focusing on actions that relate to raised awareness and understanding of consent. Membership includes Thames Valley police, OSARCC, Rape Crisis, OUSU, Oxford University, Trust House Reading and Aylesbury Vale Rape Crisis.

2.16. In 2016 the EDU and SWSS organised an event hosted by the then Pro-VC (Education) which brought together local expertise to support students who have experienced sexual violence, including the local SARC and ISVA providers, and Specially Trained Officers.⁷ The Working Group considered whether the Collegiate University should lobby for a SARC to be located in Oxford.

⁵ Oxfordshire Sexual Assault and Rape Crisis Centre

⁶ This was training developed by [REDACTED] in Counselling Service, [REDACTED] for Oxford City Council and the EDU. There were 6 training sessions over 3 years. In total, the training managed to cover at least one person in 37 colleges, with most colleges sending 2-3 people.

⁷ Sexual Assault Referral Centre (SARC) and Independent Sexual Violence Advisor (ISVA)

The Taskforce recommends that universities should establish and **maintain strong links with the local police and NHS** in order to develop and maintain a strategic partnership to prevent and respond to violence against women, harassment and hate crime affecting students.

2.17. We have useful contacts with the Specially Trained Officers at Thames Valley Police, but the TVP do not seem to give this area priority at senior level and have been slow to provide dedicated web resources. OUSU noted that it would be helpful to develop with TVP guidance for students on the options and outcomes if an incident is reported to the police.

Summary

Summary of further work considered by the Working Group in light of the UUK recommendations:

A. Leadership

- The role of Heads of House in raising the profile of issues related to Sexual Violence
- The importance of messaging from senior University leaders

B. Institution-wide approach

- To better consolidate the work already in place via SWSS, EDU, OUSU and the Proctors Office.
- To ensure regular reporting of progress in this area
- To lobby UUK or Russell Group universities to implement a UK-wide campus climate survey to allow for adequate benchmarking data
- To continue the close collaboration with OUSU

C. Prevention

- To consider the adoption of an evidence-based bystander programme
- To better communicate the Code of Discipline
- The role of Heads of House in communicating behaviour expectations in Freshers' Week
- To continue to support the work of OUSU and its affiliate campaigns

D. Response

- To develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape through the consolidation of resources into a dedicated specialist resource.
- To review and improve the processes and procedures for students reporting incidents.
- To encourage colleges to refer cases to a central resource which will improve reporting data.
- To provide guidance and training to colleges as appropriate in receiving and recording disclosures.
- To lobby for a SARC in Oxford

3. Institutional Strategy

The Working Group noted that much work is already undertaken within the Collegiate University in the area of sexual harassment and sexual violence. The recommendations below are intended to better utilise the professional resources currently available and provide additional support for those responding to cases of sexual violence. The Working Group felt strongly that credit ought to be given to those working to improve the student experience in this area. This includes colleagues from SWSS, EDU, OUSU, Legal Services, and the Proctors' Office, together with the expertise and dedication of those working in colleges and departments/faculties in supporting students.

The work of the group has primarily focused on the question of processes and procedures for supporting students who make a disclosure. This includes a clear process for supporting the student to access specialist support via the Police and local Sexual Assault Referral Centres (SARCs). This also involved work on improving the University procedures for student complaints, which was informed by and responded to the Pinsent Masons Guidance. The key emerging recommendations from the working group are twofold:

- A. The establishment of a Sexual Violence Support Centre which would act as a central resource for support and signposting for students.
- B. The development of revised processes for investigating breaches of the University Code of Discipline involving sexual violence and sexual harassment, while being clear that the University is not a substitute for the criminal justice system and cannot investigate criminal offences.
- C. Improved communication with the student body to highlight that sexual violence is an area of importance for the University and to communicate the support and resources available.

A. Sexual Violence Support Centre

Currently, University resources for supporting students are split across Student Welfare and Support Services (SWSS) and the Equality and Diversity Unit (EDU). The Director of SWSS has oversight over student cases [REDACTED] while the EDU runs the network of Harassment Advisors, some of whom are specialist OSARCC-trained to receive disclosures of sexual violence. However, students have expressed concern about the visibility of resources and a lack of awareness of the support which is available. The goal of the Sexual Violence Support Centre (SVSC) is to:

- Provide a central point of support and advice to students and act as a referral centre for colleges to direct students to.

- Be staffed by specialists with training in handling cases of sexual harassment and violence. In the first instance, this may be resourced by staff currently within the University who already have experience in this area.
- Support students with the range of options available:
 - Report to the police
 - Referral to a local SARC
 - Referral to resources such as the Counselling Service, NHS, college doctors and nurses, OUSU, OSARCC, ISVAs, etc.
 - Support in implementing practical arrangements for co-existence such as teaching arrangements, accommodation, exam arrangements, etc.
 - Making a complaint under the University Code of Discipline

The Centre should be as inclusive as possible and would be open to all students, regardless of gender or sexuality, who are experiencing sexual harassment. The spectrum of behaviours that could constitute sexual harassment is very broad, from offensive comments through to serious sexual assault. All students, no matter where their experience is on this spectrum, could receive appropriate support.

The group also noted that it could be appropriate for students based outside of Oxford for a time to have access to support from this resource, although the extent of support that could be realistically offered would depend on the individual circumstances in each case. This includes students on Year Abroad or on fieldwork. Consideration would need to be given to whether it is realistic to expect staff to advise students on support/ reporting structures available in other countries. Furthermore, difficulties may arise should the alleged perpetrator be someone not from the University of Oxford. It was queried whether this resource should be made available to staff, however it was felt that this would require further consideration in relation to HR policies and SVSC resourcing.

There are a number of different ways to establish a Sexual Violence Support Centre, and the Collegiate University may wish to consider a phased approach to assess demand for the SVSC. Two models are described below, which could also be treated as a two-step development of the SVSC.

Model 1

To pool the resources currently available within the Collegiate University and rebrand the current expertise into the Sexual Violence Support Centre. This may involve the upskilling of current staff. This is the lowest-cost and simplest way to establish an SVSC in the short term. The Sexual Violence Liaison Officer (SVLO) model utilised by Keele University and the University of Greenwich is the closest comparison.⁸

- To have 5-6 staff available to respond to cases reported to the SVSC.

⁸ <https://limeculture.wordpress.com/2016/11/21/the-svlo-sexual-violence-liaison-officer-model-ensuring-universities-can-respond-to-disclosure-of-sexual-violence/>

- Staff would maintain their current positions but have shared access to a generic SVSC email address.⁹
- Staff would have access to room bookings at 3 Worcester Street (SWSS) to ensure that the SVSC is conceived as a physical location within the SWSS umbrella.
- Staff would require specialist training in receiving disclosures of sexual violence. This could be delivered by a number of organisations at differing costs and length:¹⁰

OSARCC	LimeCulture
approx. £750 to train up to 20 people	SVLO Development Programme approx. £1,010 plus VAT for 6 days (3 x 3)

Model 2

To employ a dedicated member of staff to handle cases reported to the SVSC. Depending on demand for the centre, this individual could be supported by current roles in SWSS including the DSWSS and Executive Officer. The DSWSS and/or Executive Officer could also provide support to accused students to ensure there is no conflict of interest. The Working Group agreed that such a role would be best located within Student Welfare and Support Services. In addition to casework, this individual could also be responsible for training and communications for the collegiate University. The University of Durham model of the Student Support and Training Officer (Sexual Violence and Misconduct) is a useful comparator in terms of additional roles such as training, raising awareness, and policy development.

Role	Cost
Sexual Violence Support Centre – Support Officer ¹¹	Grade 7: £44,946 per year Grade 8: £55,489 per year

Additional costs would include professional development in terms of training. There are a number of benefits and disadvantages to both models:

	Advantages	Disadvantages
Model 1	<ul style="list-style-type: none"> • Utilises the resources currently available in the University. • Lower cost as only upskilling required through training sessions. 	<ul style="list-style-type: none"> • Role is in addition to a staff member's current post. • Fewer opportunities to engage in outreach, communications, and training within the University.
Model 2	<ul style="list-style-type: none"> • Dedicated resource available. • Increased provision for awareness raising through 	<ul style="list-style-type: none"> • Higher cost. • Unknown demand for the centre at present.

⁹ Consideration would need to be given to releasing staff when needed to handle individual cases.

¹⁰ OSARCC: <https://www.oxfordrapecrisis.net/services/outreach>. LimeCulture: <http://www.limeculture.co.uk/training-for-university-staff--higher-education>

¹¹ Tentative title

	training, communications within the collegiate University. <ul style="list-style-type: none"> • Could sit comfortably within Student Welfare and Support Services 	<ul style="list-style-type: none"> • Longer lead time in establishing the centre due to securing funding and recruitment.
--	--	--

Recommendation:

The recommendation from the Working Group is to endorse Model 2 in the long term, although Model 1 could provide interim support. It should be noted that there are no resources available to fund any additional posts to support this activity, so consideration will have to be given to the most appropriate way to identify additional funding for this area, through consultation between the University and Conference of Colleges

B. Breaches of the University Code of Discipline

Currently, complaints of harassment can be submitted to the Proctors' Office for investigation in accordance with University Code of Discipline. Disciplinary investigations are usually carried out by a Proctors' Office caseworker under the direction of the Proctors; for a case of a specialist nature (such as sexual misconduct), the Proctors have the option of remitting all aspects of the investigation to an external, specialist investigator. On the basis of the investigation, the Proctors may refer a potential breach of the Code of Discipline to the Student Disciplinary Panel which will determine whether the Code of Discipline was breached and any appropriate sanction. The student against whom an allegation has been made has a right of appeal from the Student Disciplinary Panel to the University's Student Appeal Panel.

The Proctors, and any caseworker or investigator acting on their behalf, and the Student Disciplinary Panel cannot and do not seek to act as a substitute for the criminal justice system or investigate or make findings in relation to criminal offences.

The Pinsent Masons Guidance offers guidance on how universities should handle alleged student misconduct which may also constitute a criminal offence. Key issues in the Guidance included the following:

1. Universities should ensure that the disciplinary regulations are clear and form part of the contract with students and are properly drawn to students' attention. The University's student Terms & Conditions do specifically refer to the Code of Discipline, however more work could be done to draw this to students' attention (as discussed below).
2. In relation to alleged misconduct which may also constitute a criminal offence, the criminal process should have priority, but where the matter is not being dealt with under the criminal process or the criminal process has concluded it may be appropriate for disciplinary action to be taken for a breach of disciplinary regulations. The new process should work to clarify the University's position and make it more accessible to students.
3. There should be clear processes for recording and documenting all actions taken by the University in relation to such matters. The main area of concern was raised in the sub-group in relation to recording initial disclosures in colleges, which is discussed further below.

4. Universities should provide adequate information and support to both students. This should be improved through the introduction of the Sexual Violence Support Centre.
5. Precautionary action should be taken where appropriate. This should be clarified within the new procedure.

In light of the UUK Guidance and the Pinsent Masons Guidance the group has produced a draft procedure for a student making a complaint of sexual harassment against a fellow student under the University Code of Discipline. At present this would usually only cover cases involving students at different colleges as students within the same college would be subject to that college's procedures. One key question is whether it is appropriate for colleges to continue to have jurisdiction in cases of sexual violence or whether all such matters should be considered centrally by the University, via an Independent Reviewer with expertise in this area.

The working group proposes the following where a student wishes to report a fellow student for breaching the University Code of Discipline by committing an act of sexual misconduct against the first student:

1. The first student reports the matter to the **Sexual Violence Support Centre**, which supports the student in making an informed decision about the next step to take. Steps may be taken to support the student to achieve some changes informally (for example, facilitating practical steps for co-existence such as changes to teaching arrangements, accommodation, exam arrangements etc.) but the limits of informal action should be made clear to the student.
2. Where the student reports the alleged misconduct using the University's disciplinary procedures, an **independent reviewer** may consider the issues and may also retain trained investigators.
3. The **independent reviewer** will decide whether to proceed with disciplinary action and can, in parallel, facilitate practical steps for co-existence such as changes to teaching arrangements, accommodation, exam arrangements etc. if such arrangements have not yet been made.
4. A **tribunal**, constituted by legal practitioners with expertise in sexual offences, determines whether there has been a breach of the Code of Discipline and any sanction.
5. The accused student has recourse to the University's **Student Appeal Panel**.

See Annex A for a flowchart which outlines this proposed process.

Recommendations

To adopt the proposed process outlined in Annex A. To further consider the role of the independent reviewer and who should encompass that role. Future work will be needed on developing a similar process to address staff-student cases, along with consideration of clubs and societies where accusations may be made against senior members or contractors engaged in University-affiliated activity without necessarily being University students or employees. The

potential for such cases exist and they currently sit outside the University's current jurisdiction. In addition, the Group considered the position of clubs and societies which are not affiliated with the University, such as drinking societies. Future consideration of the definition of "university context" within the University's Code of Discipline would be beneficial.

C. Communications

One key area highlighted by the student representatives relates to communication. In particular, the students felt that there should be greater visibility of the issues around sexual violence to indicate the seriousness with which the Collegiate University considers this issue. In particular, the role of Heads of House in communicating to the student body about behavioural expectations was viewed as key. The Head of House and members of the Governing Body in colleges should repeatedly seize opportunities to inform students and college members that sexual relationships should be conducted consensually and with respect. This could be done, for example, at the Head of House's welcome address. They should also remind students that consent workshops are compulsory.

In addition, the development of the Sexual Violence Support Centre could facilitate the development of informative print materials to be displayed in colleges and departments/faculties.

A subgroup of student representatives met to consider specific recommendations for improving communications across the collegiate University. Their recommendations were:

- To undertake a comprehensive review of the current Oxford Students and Equality and Diversity websites, particularly in relation to providing more accessible definitions of terms such as harassment. Further work may be needed in relation to Google searches whereby searching for help via 'Oxford' + 'sexual violence'/'rape' leads to news articles and not the relevant supportive pages.
- To consider models from other universities, including making photos of staff available and having a clear policy statement online. A dedicated site for the Sexual violence support centre should be developed. Models include: Keele University who prominently display an image of their Sexual Violence Liaison Officers which can help to convey the approachability of the team.¹² Keele University also have a clear Sexual Violence Policy Statement which is something the SVSC may wish to develop.
- To be transparent about the current and future work of the Collegiate University in relation to sexual violence, and in relation to the Working Group to follow the Durham University model of making membership, Terms of Reference, and reports available online.¹³
- The students advocated for more visibility from the Collegiate University in relation to this topic, in the form of print materials such as posters etc. They noted that visible

¹² <https://www.keele.ac.uk/student-services/support-and-wellbeing/sexual-violence/>

¹³ <https://www.dur.ac.uk/sexual-violence/svmog/>

resources which could be placed in colleges, departments/faculties, libraries, etc., would demonstrate that this is a topic the University takes seriously but would also help to foster a culture of openness and willingness to discuss these issues. The launch of the SVSC should coincide with a campaign (such as University of Manchester's "We Get It"¹⁴ or Nottingham Trent University's "Respect at NTU" video¹⁵).

Recommendation:

For Heads of House to assume a leadership role in their college and make public and repeated statements to their students about behavioural expectations and a zero tolerance of sexual harassment and sexual violence.

To review the definition of harassment used by the University of Oxford. To work in collaboration with AAD Communications, Public Affairs Directorate, and OUSU to develop a communications strategy around the Sexual violence support centre. Communications should be broad and encompass website improvements, social media, and print material. The SVSC should be allocated a small communications budget to develop print material.

The SVSC should have a launch and associated campaign. This would need to be repeated on an annual basis to ensure that new students were alerted to it.

D. Further considerations

In addition to the three key considerations highlighted above, the Sexual Violence Working Group convened three additional subgroups to examine specific areas of the UUK report: bystander intervention training, centralised reporting systems, and partnership agreements between students and the institution. The following outlines the key considerations and recommendations from those groups:

Bystander Intervention Training:

The subgroup discussed bystander intervention, in particular in relation to the Good Lad Initiative, Consent Workshops, and the University of West of England model.¹⁶ The Group highlighted the initiative, innovation and leadership of OUSU's consent workshops and the Good Lad Initiative which was started in Oxford. Both have now been adopted widely in other universities across the country. While noting the complexity of the collegiate structure, the positive elements of it were also highlighted. Bystander training works well in small communities and the collegiate system could facilitate the development of training better than a centralised university because colleges are ready-made communities. The group concluded that any training would need to be:

- repetitive
- start with the assumption that there is already good awareness and base knowledge of these issues
- peer-led but supported by the institution

¹⁴ <http://www.socialresponsibility.manchester.ac.uk/strategic-priorities/responsible-processes/we-get-it/>

¹⁵ <https://www.youtube.com/watch?v=MA58zNwEf2o>

¹⁶ <http://www1.uwe.ac.uk/bl/research/interventioninitiative/thetoolkit.aspx>

- specific to the Oxford experience, including addressing issues such as crew dates, sconcing, drinking societies, etc.
- supplemented with an online presence which provides basic bystander intervention information and signposting.

Recommendation:

To work in collaboration with OUSU, the Sports Department, and colleges to develop a bystander intervention programme. This should be peer-led and college-based, with additional information available via the SVSC web presence. The costs of such a programme would need to be shared across the collegiate University. Ideally, such a course would be run in Hilary Term to avoid Freshers' Week fatigue, and would be tailored differently for undergraduates and postgraduates.

Centralised Reporting System:

College representatives noted that there was variation in the way that records are kept. There were queries about when it is appropriate to keep written records following a disclosure. In relation to recent Freedom of Information (FOI) requests by the Guardian, the difficulty of counting accurate numbers within colleges was noted. In addition, the issue of double-counting between University records and college records was seen as problematic in terms of accurate data. The group queried whether everyone was gathering the same and appropriate type of information. College representatives felt that guidance would be welcome in relation to:

- What to record
- When to record
- Where to record

The group considered the question of anonymous reporting, similar to the model used by the University of Manchester.¹⁷ However, while this was thought to help to provide an overall picture similar to a campus climate survey and for referral to specialist resources, there were issues with double-counting. Anonymous reporting could be considered in relation to the SVSC at a later date as a means of data gathering and further signposting to resources such as Harassment Advisors and Student Welfare and Support Services.

Recommendation:

To better join up existing reporting systems, particularly SWSS and EDU records related to harassment and sexual violence. Furthermore, to reduce the issue of double-counting, students could be asked whether they have disclosed to their college or any other University support provision. To provide clear guidance to colleges about best practice in recording and storing information. This could take the form of one-page guidance with a template for capturing information.

Partnership agreements

Students are bound by the University's Statutes and Regulations, which set out a Code of Discipline (i.e. Statue XI), and local College regulations. The Code of Discipline and general behavioural expectations are referenced in the University's contract with students which they

¹⁷ <https://www.reportandsupport.manchester.ac.uk/report/anonymous>

agree to on accepting their offer, and which is explained in the Terms and Conditions and the University's student handbook. The group suggested that the Student Handbook could be amended to improve the information about the Code of Discipline. College regulations may be brought to student's attention through the College contract (although this varies between colleges).

The group noted that this did constitute a partnership agreement in line with the UUK recommendation, but that there was an issue around the visibility of it to the student body. It was felt that many students would never have read the University Code of Discipline, although they may be slightly more familiar with their college regulations. It was noted that the University often highlights behaviour which is not tolerated rather than promoting positive behavioural expectations. The group agreed that promotional material such as posters and social media content highlighting positive codes of behaviour would be useful in raising awareness of behavioural expectations, and could perhaps be based on a University charter for student dignity. College representatives noted that students may not read their college regulations and expressed concern over the amount of information which students were expected to digest in Freshers' Week. It was suggested that re-Fresher events in Hilary Term would be beneficial.

Recommendation

The visibility of the Code of Discipline should be raised to ensure that students are made aware of it. The Student Handbook should be improved in relation to the Code of Discipline. A promotional campaign with print and social media should be undertaken to promote positive behavioural expectations, perhaps based on a student dignity charter.

4. Summary of Recommendations

The key recommendations from the Sexual Violence Working group relates to:

1. Establishment of the Sexual Violence Support Centre

- The recommendation from the Working Group is to endorse Model 2, contingent on resources being identified.

2. Role of Heads of House

- To recommend to Heads of House that they should make statements at their welcome address about consensual relationships and a zero tolerance to sexual harassment and sexual violence. Such messaging should be reiterated throughout the year.

3. Revision to the processes for students reporting an incident.

- To accept the revised process outline in Annex A. To approve future work looking at processes for complaints against staff and at the university context (including conduct within clubs and societies and non-affiliated drinking societies).

4. Communications

- To work in collaboration with AAD Communications, Public Affairs Directorate, EDU and OUSU to develop a communications strategy around the Sexual violence support centre. Communications should be broad and encompass website improvements, social media, and print material. The SVSC should be allocated a small communications budget to develop print and social media material. A campaign should be run annually to raise awareness.

5. Other Considerations

- To work in collaboration with OUSU and the Sports Department to develop a **bystander intervention programme**. This should be peer-led and college-based, with additional resourcing available via the SVSC web presence.
- To better join up existing **reporting systems**, particularly SWSS and EDU records related to harassment and sexual violence. Furthermore, to reduce the issue of double-counting, students could be asked whether they have disclosed to their college or any other University support provision. To provide clear guidance to colleges about best practice in recording and storing information. This could take the form of one-page guidance with a template for capturing information.
- The visibility of the **Code of Discipline** should be raised to ensure that students are made aware of it. The Student Handbook should be improved in relation to the Code of Discipline. A promotional campaign with print and social media should be undertaken to promote positive behaviour expectations.

- To recommend the establishment of three future working groups to look at **hate crime**, **university context** and **staff/student cases** respectively.

The table below links the key recommendation from the UUK report which the working group considered and how the proposals above address each point:

A. Leadership	
Key area	Recommendation
The role of Heads of House in raising the profile of issues related to Sexual Violence	<ul style="list-style-type: none"> • For Heads of House to speak publically to this area in Freshers' Week and to continue to highlight behavioural expectations throughout the year
The importance of messaging from senior University leaders	<ul style="list-style-type: none"> • For a high-level statement from senior University leaders in response to this report • To be transparent in the working of the Sexual Violence Working Group and future developments through a website which details the University's current and future plans.
B. Institution-Wide Approach	
Key area	Recommendation
To better consolidate the work already in place via SWSS, EDU, OUSU and the Proctors' Office.	<ul style="list-style-type: none"> • Establishment of the Sexual violence support centre based on a model which recruits a dedicated role. • Support to be provided in cases by current expertise in SWSS and EDU.
To ensure regular reporting of progress in this area	<ul style="list-style-type: none"> • Harassment cases are currently reported to the Student Wellbeing Subcommittee (SWSC) which reports to Education Committee. Progress in this area should be reported annually to SWSC.
To lobby UUK or Russell Group universities to implement a UK-wide campus climate survey to allow for adequate benchmarking data	<ul style="list-style-type: none"> • To recognise that individual campus climate surveys would provide little relevant information in terms of benchmarking unless more universities participated. • For senior leadership to communicate with UUK and/or Russell Group to push for a unified approach
To continue the close collaboration with OUSU	<ul style="list-style-type: none"> • To involve OUSU representatives in future developments in this area • To work closely with OUSU on communication of the SVSC and related areas such as bystander intervention training.
C. Prevention	
Key area	Recommendation
To consider the adoption of an evidence-based bystander programme	<ul style="list-style-type: none"> • To further explore the implementation of a bystander intervention programme which is Oxford-specific, in collaboration with OUSU • To supplement any programme with informative webpages
To better communicate the University Code of Discipline	<ul style="list-style-type: none"> • The Student Handbook reviewed to include more explicit material in relation to the Code of Discipline. • A promotional campaign with print material should be undertaken to promote positive behaviour expectations.

The role of Heads of House in communicating behaviour expectations during Freshers' Week	<ul style="list-style-type: none"> • Heads of House to communicate behaviour expectations to students in Freshers' Week and again during the academic year. Guidance should be made available on what to say, for example regarding consent.
To continue to support the work of OUSU and its affiliate campaigns	<ul style="list-style-type: none"> • The University should continue to support the work of OUSU such as consent workshops. Regular monitoring should continue (via SWSC) on the effectiveness of consent workshops.
D. Response	
Key area	Recommendation
To review and improve the processes and procedures for students reporting incidents.	<ul style="list-style-type: none"> • The establishment of the SVSC will act as a central resource to support students reporting incidents, but also staff seeking advice on supporting students. • The amended procedure for students should provide a clearer process for students on the range of options available.
To encourage colleges to refer cases to a central resource which will improve reporting data.	<ul style="list-style-type: none"> • While acknowledging that colleges may handle cases internally, the SVSC can act as a referral centre for colleges. • To provide guidance and templates for recording disclosures to improve data records within colleges.
To provide guidance and training to colleges as appropriate in receiving and recording disclosures.	<ul style="list-style-type: none"> • To produce guidance and templates to colleges on appropriate ways to record disclosures and maintain records. • The SVSC (as conceived in Model 2) could have resourcing to train staff in receiving disclosures.
To lobby for a SARC in Oxford	<ul style="list-style-type: none"> • For senior University staff to lobby Thames Valley Police for a SARC to be located in Oxford. Oxford Brookes University should also be approached to lobby together as a university city.

5. Public Sector Equality Duty

Members of the group received and considered the data available about reported cases of harassment (which includes sexual violence and harassment) at the University. This data comes from two sources: calls to the harassment helpline and referrals to Student Welfare and Support Services.

The Harassment line data showed that as an average over 2014-15 and 2015-16:

- 67.5% were female callers
- 21% were male callers
- 10.5% of cases concerned misconduct by female parties
- 47% of cases concerned misconduct by male parties
- 12 cases out of 49 were explicitly related to sexual violence (“unwelcome sexual advance or sexual assault”) although other cases concerned behaviour that may have also had a sexual dimension (eg stalking, verbal abuse etc)
- 1 complaint in 2014-15 explicitly related to race
- 1 complaint in 2015-16 explicitly related to sexual orientation
- 2 complaints in 2015-16 explicitly related to religion and belief

The Student Welfare and Support Services data showed that over 2014-15 (for which only part of a year was recorded) and 2015-16:

- 74% of complainants were female
- 18.5% of complainants were male
- 10% of accused parties were female
- 66.5% of accused parties were male
- 38 out of 88 complaints were explicitly related to sexual violence although other complaints may have also had a sexual dimension

It was clear from considering the available data that the University should take steps to gather more complete data going forward as there was a lack of sufficient data to assess the impact of sexual violence and sexual harassment on certain protected groups including the protected characteristics of disability, gender reassignment, race, religion or belief and sexual orientation. There was also a clear need to separate out data for sexual violence and sexual harassment from other cases of harassment.

The Equality and Diversity Unit also explained to the group that there is significant international and sector wide data which suggests that:

- Statistically, girls and women are more likely than men to experience harassment, violence and abuse, with women aged between 16 and 19 at the highest risk. However, it is widely believed that the numbers of boys and men experiencing abuse is heavily

underreported.¹⁸ The University's data appears to be consistent with both of these conclusions.

- People with a disability are much more likely to be the victim of sexual violence than others.¹⁹
- Research also suggest that sexuality is an important predictor in sexual violence, with LGBT people being disproportionately more affected than non-LGBT people.²⁰

In light of this evidence, the group consider that its work creates an opportunity for a positive impact on equality by:

- eliminating unlawful discrimination, harassment or victimisation
- advancing equality of opportunity between people who share protected characteristics and those who do not
- fostering good relations between people who share a protected characteristic and those who do not.

The proposals are not considered to have a negative impact on equality. Where there is an existing disproportionately negative impact on particular groups (as discussed above), the proposals are expected to reduce that negative impact.

The positive impacts on groups which are more likely to experience sexual violence (in particular women, the LGBT community and people with a disability) will be achieved by:

- preventing sexual violence from occurring by making improvements in the bystander programme, leadership and communications and also advancing equality of opportunity for those groups particularly affected as well as fostering good relations through greater institution-wide awareness of the issues.
- improving the support available for those who have experienced sexual violence through the creation of the Sexual violence support centre and through offering guidance and training to colleges, which should work particularly to reduce the negative impacts of such behaviour on affected groups.
- improving the processes for reporting and making complaints in relation to sexual violence in order to reduce the negative impacts of difficulties or complexities in reporting or complaining on particularly affected groups who may be more likely to make such reports or complaints.

¹⁸ Parliamentary committee report on the scale and impact of sexual harassment and sexual violence in schools (www.publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/9103.htm) Ministry of Justice (2013) An Overview of Sexual Offending in England and Wales.

¹⁹ FRA Violence against women: an EU-wide survey (fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report)

Parliamentary committee report as above.

²⁰ 11.6% of gay men and 13.2% of bisexual men report being raped compared to 1.6% of heterosexual men.

(Balsam, K.F, Rothblum, E.D, Beauchaine, T.P, 2005. Victimization over the life span: A Comparison of Lesbian, Gay, Bisexual, and Heterosexual siblings)

17.9% of lesbians and 24% of bisexual women, reported being sexually assaulted during university compared to 13.3% of heterosexual women. (Martin SL, Fisher BS, Warner TD, Krebs CP, Lindquist CH 2011. Women's sexual orientations and their experiences of sexual assault before and during university.)

Lesbian women (23 %) and transgender respondents (22 %) were the most likely to have been harassed because they were perceived to be LGBT. (2012 European Union lesbian, gay, bisexual and transgender survey).