

Rapid Review of Scottish Higher Education Responses to Gender Based Violence



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EXECUTIVE SUMMARY

- The Scottish Government is committed to eradicating violence against women and girls (VaWG). *Equally Safe* outlines the current strategic policy for the prevention and elimination of VaWG and all forms of gender-based violence (GBV).¹
- *Equally Safe* adopts a gendered analysis and definition of violence and abuse, conceptualising VaWG as both a cause, and consequence, of gender inequality. This definition recognises that GBV mostly affects women and that men are the main perpetrators, it may impact individuals of any gender, sexual orientation, faith or ethnicity, and that homophobia, biphobia and transphobia are forms of GBV.
- GBV on UK campuses, particularly sexual violence, has recently gained the attention of researchers, the media and Higher Education Institutions (HEIs). There is growing acknowledgement that HEIs have a responsibility and duty of care to prevent and respond to such violence, and to maintain the safety and wellbeing of University staff and student communities. Universities also have a role to play in challenging the attitudes that underpin GBV.
- The Equally Safe in Higher Education (ESHE) project, based at the University of Strathclyde, is implementing the Scottish Government's *Equally Safe* national policy in a HEI setting.²
- In order to assess the extent to which Scotland's national strategic approach to VaWG is being addressed by Scotland's Higher Education sector, ESHE undertook a review of existing policy and practice, prevention and intervention, in relation to GBV across all 19 Scottish HEIs.
- While there is a growing body of work on institutional responses to, and current and best practice for preventing GBV (largely sexual violence) in HEIs in the UK as a whole, a Scotland focused review is required to highlight specific activity in Scottish Universities and to contextualise intervention, prevention, policy and practice within its national, devolved policy context.
- It found that there is important activity occurring across Scotland's Higher Education landscape to address, prevent and respond to GBV. There is wide variation across the sector however, both between and within Universities, and activity is not always consistent, joined up or transparent.
- The existence of specific policies and procedures to address GBV are novel in Scotland, though a handful of institutions are beginning to introduce such measures in the form of sexual misconduct policies. This highlights the growing recognition that HEIs have a responsibility to reframe existing policy frameworks in order to incorporate robust measures to prevent and respond effectively to GBV on their campuses.
- Currently, however, no Universities have in place all of the necessary elements to do so. General complaints and disciplinary procedures are often inappropriate and unsuitable for victim/survivors and intervention is largely limited to signposting to external specialist support.
- Prevention strategies are being implemented by some institutions and their Students' Unions aimed at generating cultural change, including workshops and bystander-training surrounding issues such as sexual consent and relationships, as well as adopting sexual harassment policies.

¹ Scottish Government (2016) *Equally Safe – Scotland's strategy for preventing and eradicating violence against women* (Edinburgh: Scottish Government), www.gov.scot/Publications/2014/06/7483

² University of Strathclyde, *Equally Safe in Higher Education Project*, www.strath.ac.uk/humanities/schoolofsocialworksocialpolicy/equallysafeinhighereducation/

- Policy and practice should also be wide and inclusive of *all* forms of GBV, and address staff as well as students. This approach acknowledges that sexual violence is only one aspect of GBV, recognises that individuals may experience more than one form of abuse, at different times, and contextualises GBV within wider structural inequalities, in line with the Scottish Government definition. It also acknowledges the incidences of student–student; staff–staff; and student–staff relationships and interrelations.
- Overall, positive activity in the form of response, intervention and prevention is evident, but further work is necessary to robustly address GBV, with a more systematic, co-ordinated and University-wide approach, both within and across Universities, required.
- Activity in this area is fast paced and not all HEI policy and practice is publically available online. For part two of this review, ESHE plans to consult with HEIs. This report therefore provides an illustration of current activity and is envisaged as a live document which can be updated as good practice is shared and implemented. At the time of this review, conducted between January and March 2017, it is estimated that:

Policy

- Two HEIs have a formal policy on sexual misconduct.
- One HEI has specific guidelines (for staff and students) on sexual harassment and assault.
- Four HEIs have GBV policy working groups.
- All 19 HEIs have general policies for dignity and respect at work and study, and bullying and harassment, as well as staff and student discipline policies, which cover some forms of GBV, most frequently sexual harassment.

Prevention

- 12 HEIs have introduced some form of prevention, education, training or campaign.
- Four HEIs have formal partnerships with local/national Rape Crisis Centres.
- Eight HEIs have worked with external organisations such as Rape Crisis Centres or Police Scotland to deliver specific training or education initiatives.
- Six HEIs have offered voluntary consent workshops.
- Eight HEIs have or are developing bystander approaches.

Intervention

- All 19 HEIs provide a counselling service to staff and students.
- Two HEIs have a first responder's scheme.
- Nine HEIs have Dignity and Respect Advisers and Harassment Contacts.
- One HEI offers specialist, on campus, support to victim/survivors of sexual violence.
- Twelve HEIs signpost to external, specialist support services. Seven do not.
- Seven HEIs have dedicated sexual violence, GBV or VaW webpages.³

³ See page 35 and report appendices for information regarding specific HEIs. Moreover, please note this information is only accurate as of March 2017.

Scottish Higher Education Institution's provision of GBV services (March 2017)

1 has specific guidelines (for staff and students) on sexual harassment and assault



1 offers specialist, **on campus**, support to victim/survivors of sexual violence



2 

- have a first responder's scheme
- have a **formal** policy on sexual misconduct



4

- have formal partnerships with local/national Rape Crisis Centres
- have GBV policy working groups

6  have offered voluntary consent workshops.

7 have dedicated sexual violence, GBV or violence against women webpages. 

8

- have or are developing bystander approaches
- have worked with external organisations such as Rape Crisis Centres or Police Scotland to deliver specific training or education initiatives



9  have **Dignity & Respect Advisers and Harassment Contacts**

12 

- have introduced some form of prevention, education, training or campaign
- signpost to external, specialist support services. **Seven do not**



19 (AID) HEIs

- have general dignity & respect / bullying & harassment / discipline policies for Staff and Students, which cover some forms of GBV, namely sexual harassment
- provide a counselling service to staff and students

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Introduction

GBV in higher education contexts has gained attention among researchers, the government, the media and HEIs in recent years.⁴ Notably, national and international media coverage has highlighted Universities as ‘sites of violence’ against women, with particular emphasis on sexual violence and harassment.⁵ National statistics also evidence that gender and age are two key determinants increasing the risk of such violence, with young women aged 16-25 more likely to be affected.⁶ The demographic profile of University student populations is therefore significant. 2014-2015 figures indicate that of the 2.3 million University students in the UK, 45% were 21 years and under, and 56% were female.⁷ In the UK, one in seven female students have experienced serious physical or sexual assault; 84% knew their attacker; and 25% have experienced unwanted sexual behaviour.⁸ According to Police Scotland 16 to 27 year old men are responsible for more than one third of reported rapes in Scotland.⁹ In light of these trends, there has been increased scrutiny of the ways in which Universities are responding to, and preventing GBV, and in particular, sexual violence amongst student populations. A growing body of work including, for example, the 2016 *Changing The Culture* report by Universities UK Taskforce examining violence against women, as well as harassment and hate crime, have been influential in identifying best practice and providing recommendations to respond to this complex issue in UK higher education contexts.¹⁰ This developing field of research has also highlighted, however, the often poor and inconsistent responses of HEIs, particularly surrounding reporting pathways (or lack thereof); inconsistencies in institutional approaches when dealing with victim/survivors

⁴ See e.g. NUS (2011) *Hidden Marks: A Study of Women Students’ Experiences of Harassment, Stalking, Violence and Sexual Assault* (London: NUS); NUS (2012) *That’s What She Said: Women Students’ Experiences of ‘lad culture’ in Higher Education* (London: NUS); Jackson, C. and Sundaram, V. (2015) ‘Is Lad Culture a problem in higher education: exploring the perspectives of staff working in UK universities’, www.srhe.ac.uk/downloads/JacksonSundaramLadCulture.pdf

⁵ Fenton, R.A., Mott, H.L., McCartan, K. & Rumney, P.N.S., (2016) *A Review of the Evidence for Bystander Intervention to Prevent Sexual Assault and Domestic Violence in Universities* (London, Public Health England), p.5.

⁶ Rape Crisis Scotland (2015) *Facts about Sexual Violence*, www.rapecrisisscotland.org.uk/help-information/facts/

⁷ Universities UK (2016) *Changing the Culture: Report of the Universities UK Taskforce examining Violence Against Women, Harassment and Hate Crime affecting University Students* (London: UUK), p. 18. The figures for HEIs in Scotland are not readily available; however, data from 2007 indicates a student population of 223,000 of whom 57% were women. See e.g. www.universities-scotland.ac.uk/uploads/briefings/student%20facts_fig.pdf

⁸ Phipps, A. & Smith, G. (2012) *Violence against Women Students in the UK: Time to take action*. *Gender and Education*, 24(4), p. 363.

⁹ ‘Rape Prevention Campaign Targets Young Scottish Men and Bar Staff’, *The Guardian*, 8th July 2015, <https://www.theguardian.com/society/2015/jul/08/rape-prevention-campaign-young-men-police-scotland-advert> Police Scotland’s ‘We Can Stop It’ rape prevention campaign is purposely aimed at 16- to 27-year-old men.

¹⁰ UUK (2016) *Changing the Culture*; Durham University (2015) *Durham University’s Sexual Violence Task Force: A Higher Education Initiative to Address Sexual Violence and Misconduct on Campus*, [www.neevawg.org.uk/sites/default/files/SVTF%20brochure%20PROOF%20\(1\).pdf](http://www.neevawg.org.uk/sites/default/files/SVTF%20brochure%20PROOF%20(1).pdf); Bows, H., Burrell, S. & Westmarland, N. (2015) *Rapid Evidence Assessment of Current Interventions, Approaches, and Policies on Sexual Violence on Campus*, www.dur.ac.uk/resources/svtf/DUSVTFRAEfinalpdfversion.pdf

of GBV; and gaps in students' knowledge either of services available locally or on campus. A minority of UK Universities currently have specific GBV and/or sexual violence misconduct policies or procedures in place, though more are beginning to implement such measures. There is therefore growing acknowledgement that HEIs have a responsibility and duty of care to address GBV effectively, and to maintain the safety and wellbeing of the University staff and student community. Institutions also have a role to play in challenging the attitudes that underpin GBV. HEIs exist within and encapsulate both public and private spaces, and the harassment, abuse and violence on University campuses and education contexts are reflective of, as well as impact, wider society.¹¹

This report sets out the findings from a desk-based review examining existing policy and practice in relation to GBV across Scottish HEIs. Research and review of GBV in higher education contexts have largely tended to reflect experiences within English Universities, or cover the UK as a whole. Of the 62 HEIs which contributed to the recent UUK taskforce consultation, for example, only five were from Scotland, three from Wales and one from Northern Ireland.¹² GBV, however, is a policy area with a degree of variation across the UK, and the evolution of distinct policy approaches and positions may impact on how Universities approach this complex issue. Intervention, prevention, policy and practice must be contextualised within national, devolved contexts. A Scotland focused review is therefore not only required to highlight specific activity in Scottish Universities, but also because Scotland has a distinct political position and national conceptualisation of VAWG and GBV. Although similarities with UK wide approaches are evident, the 'distinctiveness' of Scotland's policy position derives from its gendered analysis and definition of violence and abuse, emphasising the inter-relationship between 'gendered power relations and inequalities.'¹³ The gendered framework adopted by the Scottish Government conceptualises the physical, emotional, psychological and sexual abuse of women and girls as a manifestation and outcome of gender inequality, framing it within wider gendered power relations and structural inequalities.

Consequently, though *Equally Safe* represents the national strategy for preventing and eradicating *violence against women and girls*, the term *gender-based violence* is used throughout

¹¹ Scottish Government (2016) *Equally Safe*.

¹² UUK (2016) *Changing the Culture*, p. 1.

¹³ Scottish Government (2010) *What does gender have to do with violence against women?*

www.gov.scot/Resource/Doc/1032/0097230.pdf; Charles, N. and MacKay, F. (2013) *Feminist politics and framing contests: Domestic violence policy in Scotland and Wales*. *Critical Social Policy*, 33(4), p 610.

this review. This definition acknowledges that different forms of violence have their roots in gender inequality and recognises that whilst it mostly affects women and that men are the main perpetrators, it may impact individuals of any gender, sexual orientation, faith or ethnicity, and that homophobia, biphobia and transphobia are forms of GBV. Though there is a growing body of work on institutional responses to, and current and best practice for preventing GBV in HEIs in the UK as a whole, it is important to investigate the policy and practice currently in place across Higher Education in Scotland in light of this gendered politicisation, definition and explicit policy focus.¹⁴ This report represents a snapshot review of current activity. The following section provides an overview of the review method. Thereafter, the report examines some of the practical, legal and theoretical issues in relation to GBV in the UK higher education sector.

¹⁴ Donaldson, A. (2016) Tackling 'Lad Culture' on Campus: How Scotland is Taking on the Problem. www.commonspace.scot/articles/3697/tackling-lad-culture-on-campus-how-scotland-is-taking-on-the-problem. The UUK report, despite its emphasis on VaW, largely framed the issue in gender neutral ways.

The Review

The purpose of this desk-based review is to explore current activity aimed at tackling GBV across Scotland's 19 HEIs. It examines policy and practice at both an institutional and student-led level, covering high-level University policies, prevention work including campaigns, training and workshop initiatives, as well as early intervention work, such as support mechanisms and pathways for victim/survivors and alleged perpetrators. The review, conducted between January and March 2017 aimed to gather all publically available online information. Each Scottish HEI (listed in Appendix One) was searched followed by key terms such as sexual harassment, sexual violence, and gender-based violence, alongside words including policy, intervention, workshop and Student Association. Individual policies and procedures were also consulted, and searches for various forms of GBV were applied within these individual policy documents. Finally, these search terms were also applied within specific University and Student Association websites.

While the review has remained limited to desk-based research, ESHE aims to consult further with HEIs through interviews with University staff and Students' Associations. This is required to gain a fuller understanding about HEI prevention and intervention activity. Not all policy and practice is publically available or has a large online presence, whilst written policies and procedures do not necessarily detail what happens 'on the ground' when a student or member of staff discloses an incident of violence/abuse.¹⁵ Activity can also be fast-paced; a large proportion of the initiatives detailed in this report were introduced in the latter half of 2016. As noted, this review provides a snapshot illustration of current activity, based upon what was publically available at the time of writing, is recent up to March 2017. This report is therefore envisaged as a live document, as further consultation with HEIs will gather information about the development of policy and practice that may be planned, but not yet implemented. Further consultation will also highlight the nuances and complexities of this issue in relation to the distinct nature of Scotland's Universities, which encompass varied rural and urban locations, as well as diverse staff and student populations, and have distinct ethos, structures and approaches.

¹⁵ Towel, G. (2016) 'How Universities are tackling Sexual Violence' www.universitiesuk.ac.uk/blog/Pages/how-universities-are-tackling-sexual-violence.aspx

UK Context: Gender-based violence in Higher Education

The prevalence and impact of GBV in UK education contexts has remained a neglected topic until very recently.¹⁶ Due to increasing national and international attention focused on the issue in recent years, alongside a development in student campaigning, there is growing pressure on UK Universities to respond to GBV and increasing scrutiny of the ways in which they are doing so.¹⁷ In 2015, Durham University's Sexual Violence Task Force, for example, examined sexual violence prevention and response, whilst in January 2017, the University of Sussex published an independent review into a high profile case of staff-student abuse.¹⁸ With a broader remit, the 2016 *Changing The Culture* report published by Universities UK Taskforce scrutinised violence against women, as well as harassment and hate crime, affecting University students. Collectively, this work marks both a turning point and 'starting point' in HEIs attention to GBV.¹⁹ Though the primary focus has been sexual violence among student populations, clearly sexual violence interconnects with, and influences, other forms of gendered violence, harassment and abuse, and is not limited to students.²⁰ University staff are also affected by such violence, and there are a number of potential complexities surrounding staff-to-student and staff-to-staff abuse.²¹ Individuals may experience violence at different points in their lives and may experience more than one type of violence.

Within this emerging field of research, approaches to GBV prevention and intervention in University settings is emerging.²² *Changing The Culture* called for an institution-wide approach to tackling violence against women. Recommendations include:

¹⁶ Bows et al (2015) Rapid Evidence Assessment of Current Interventions, Approaches, and Policies on Sexual Violence on Campus, p. 3.

¹⁷ 'Sexual assault at university: MPs demand clearer policies to protect students', The Telegraph, 15th January 2015, www.telegraph.co.uk/women/womens-life/11340684/Sexual-assault-at-university-MPs-demand-clearer-policies-to-protect-students.html

¹⁸ Westmarland, N. (2017) Independent Review into The University of Sussex's Response to Domestic Violence, www.sussex.ac.uk/webteam/gateway/file.php?name=westmarland-review.pdf&site=303

¹⁹ UUK (2016) *Changing the Culture*, p. 1.

²⁰ Durham University, Sexual Violence Task Force.

²¹ 'Staff-to-student sexual harassment must be tackled urgently', 21st September 2016, wonkhe.com/blogs/comment-staff-to-student-sexual-harassment/;

'We felt inferior and degraded': reporting sexual harassment at university', The Guardian, 5th March 2017, www.theguardian.com/education/2017/mar/05/we-felt-inferior-and-degraded-reporting-sexual-harassment-at-university?CMP=share_btn_tw;

'Sexual harassment of students by university staff hidden by non-disclosure agreements', The Guardian, 26th August 2016, www.theguardian.com/education/2016/aug/26/sexual-harassment-of-students-by-university-staff-hidden-by-non-disclosure-agreements; 'Calls for action by universities on 'epidemic' of harassment on campus', The Guardian, 6th March 2017,

www.theguardian.com/education/2017/mar/06/calls-for-review-into-how-universities-handle-sexual-harassment-allegations

²² Fenton, R.A. & Mott, H.L. (2015) Strategy for Addressing Sexual and Domestic Violence in Universities: Prevention and Response, www1.uwe.ac.uk/bl/research/interventioninitiative/foruniversities/violencepreventionstrategy.aspx; Fenton, R.A., Mott, H.L. &

Rumney, P.N.S. (2015) The Intervention Initiative: Theoretical Rationale eprints.uwe.ac.uk/27671/1/Theoretical-rationale.pdf;

- a commitment from senior leadership;
- clear, accessible policies, reporting procedures and support pathways;
- centralised recording;
- effective training of all/relevant staff;
- specialist partnership working for prevention and response;
- and the promotion of a culture of zero-tolerance, all in partnership with Student Unions and other student-led organisations.

Bystander initiatives designed specifically for GBV prevention for example, aim to change the attitudes, beliefs, social and cultural norms which normalise and underpin such violence and abuse. In facilitating cultural change within student populations, these programmes support and empower individuals to be agents of change and intervene in positive, safe ways when witnessing a problematic event or unhealthy behaviour, sending the message that such behaviour is socially unacceptable and that it is socially acceptable to challenge it.²³ In relation to achieving a University wide response to incidents of sexual violence specifically, this report recommends individual Universities develop their own explicit framework for responding to incidents, considering the various immediate and long-term support needs for both victim/survivors and alleged perpetrators. Responses must also be flexible and tailored to the individual circumstances of each case, which may involve a wide range of scenarios and complexities including, for example, whether the incident was recent or historic, whether or not victim/survivors wish to report to the police or whether the victim/survivor is male, female or transgender, where the violence occurred either on or off-campus, in or outside of term time or during a study abroad placement or work placement/year in industry.²⁴ Victim/survivors will vary by gender, age, ethnicity and sexuality. The relationship between the victim/survivor and alleged perpetrator will also differ from case to case, as will the practice and emotional support they seek.²⁵ Practically, HEIs should ensure policies and procedures align and are accessible, there is clear handling process, and appropriate risk assessments are carried out. Though the focus of these recommendations is sexual violence and

²³ A growing number of universities are implementing or considering implementing bystander programmes, particularly following the publication of the Intervention Initiative and the evidence review from Public Health England.

²⁴ For the purposes of this report, the term victim/survivor has been used. As a technically accurate, legal term, a victim is a person who is subject to inappropriate or unlawful conduct. This term can, however, suggest powerlessness on the person who has experienced the violence/abuse and may also promote focus on them as opposed to the perpetrator. The term survivor, often used by campaigners and activists, is deemed to be a more empowering word.

²⁵ UUK (2016) *Changing the Culture*, p. 50.

incidents involving students, clearly these considerations apply to other forms of GBV as well as to staff.

The way in which, and to what extent, HEIs will implement these new recommendations is unknown. UK Universities have no legal duty or obligation to implement specific GBV policies or to record and report on these issues, unlike in the US, where Universities are required to publish annual statistics on all crime, including sexual assault and demonstrate they are taking necessary steps to prevent sexual violence.²⁶ Evidence suggests currently, Universities in the UK lack a consistent and systematic response to incidents of GBV. Issues include but are not limited to reporting pathways (or lack thereof), inconsistencies in approaches when dealing with victim/survivors, inconsistent record keeping and data management, and inadequate or inconsistent signposting of internal and external support services. As noted, few institutions have distinct policies or procedures which specifically address sexual violence, GBV, or VAW, though some institutions are beginning to implement such. Instead, issues of sexual harassment and violence tend to be managed within broader and more general harassment policies.²⁷ Alongside the particular barriers to reporting GBV, anecdotal evidence indicates that individuals do not report because of a lack of knowledge or clarity surrounding these policies and procedures and how Universities will manage complaints, placing an additional barrier to disclosing, seeking help and reporting.²⁸

In 2015, for example, an investigation by *The Guardian* based on a series of Freedom of Information Requests, uncovered that seven of the 24 Russell Group Universities did not systematically record allegations of rapes, sexual assaults and sexual harassment, and one in five did not have specific guidelines for students on how to report such allegations in confidence or as a formal complaint to the institution.²⁹ A more recent, six month-long *Guardian* investigation into staff-on-student and staff-on-staff sexual harassment in 120 HEIs, highlights similar trends. Published in March 2017, it found that 32% of Universities have no student-staff relationship

²⁶ NUS (2015) How to Respond to Complaints of Sexual Violence: The Zellick Report. www.nusconnect.org.uk/resources/how-to-respond-to-complaints-of-sexual-violence-the-zellick-report

²⁷ Bows et al (2015) Rapid Evidence Assessment of Current Interventions, Approaches, and Policies on Sexual Violence on Campus, pp. 4-5.

²⁸ 'Why the true scale of university harassment is so hard to uncover', *The Guardian*, 5th March 2017, www.theguardian.com/education/2017/mar/05/why-the-true-scale-of-university-harassment-is-so-hard-to-uncover?CMP=share_btn_fb

²⁹ 'Top universities fail to record sexual violence against students', *The Guardian*, 24th May 2015, www.theguardian.com/education/2015/may/24/top-universities-fail-record-sexual-violence-against-students-russell-group

policy, and that students had made at least 169 allegations of sexual misconduct against University staff from 2011-12 to 2016-17. At least another 127 allegations about staff were made by colleagues.³⁰ Alongside further testimony from victim/survivors who never reported the incident/s for fear of repercussions on careers or education, the investigation also highlighted the tendency for individuals to be dissuaded from making official complaints or to be given informal resolutions, not included in the figures. Low reporting, complex procedures, ad-hoc record-keeping and inconsistencies in how allegations are investigated suggests data records underestimate the scale of this issue. In Scotland, it is estimated that at least one in five women will experience domestic violence in their lifetime, whilst one in three teenage girls in a relationship suffer an unwanted sexual act.³¹ One in ten women in Scotland has experienced rape & one in five women in Scotland has had someone try to make them have sex against their will in comparison to less than one in 20 men (4%), including 2% who have experienced rape.³² At least 43% of the 10,273 sexual crimes recorded in 2015-16 by the police related to a victim under the age of 18.³³

How HEIs manage cases of student sexual misconduct such as rape and sexual assault under internal regulations has also been subject to criticism, with ongoing concerns about the contemporary relevance of what is commonly known as the Zellick Guidelines.³⁴ Created in 1994 by the Council for Vice-Chancellors and Principals (CVCP, now Universities UK) in a response to a high profile rape case, the Zellick Guidelines provided advice to HEIs on handling alleged student misconduct which may also constitute a criminal offence. One of the most contentious issues in relation to Zellick was the recommendation that allegations of rape and sexual assault should not be investigated through internal University disciplinary procedures unless the complaint is formally reported to the police.³⁵ Whilst not strictly legislation, these non-statutory guidelines continue to be used by some Universities as a basis for their internal disciplinary procedures.³⁶

A number of problematic issues have been highlighted about these guidelines. Women's rights organisations and student campaigners have argued that they are largely outdated given

³⁰ 'Sexual harassment allegations: find figures for UK universities', The Guardian, 5th March 2017, www.theguardian.com/education/ng-interactive/2017/mar/05/sexual-harassment-allegations-find-figures-uk-universities

³¹ Scottish Government, Key Facts About Violence Against Women, www.gov.scot/Topics/People/Equality/violence-women/Key-Facts

³² The Scottish Government (2015) Natsal-3: Key findings from Scotland, www.gov.scot/Topics/Health/Services/Sexual-Health/Natsal3

³³ Scottish Government, Recorded Crime in Scotland 2015-16, www.gov.scot/Resource/0050/00506122.pdf

³⁴ Council for Vice-Chancellors and Principals (1994) Notes of Guidance: Student Disciplinary Procedures (London: CVCP).

³⁵ NUS (2015) How to Respond to Complaints of Sexual Violence: The Zellick Report.

³⁶ UUK (2016) Changing the Culture, p. 56.

the important social developments that have taken place since they were first published in 1994. This includes, for example, the role of social media in contemporary society, specifically in relation to online abuse and harassment, including ‘sexting’, sharing of explicit images and ‘revenge porn’. There have also been significant legislative changes, such as the Human Rights Act 1998 and Equality Act 2010, by which Universities are required to give ‘due regard’ to advancing equality of opportunity and to eliminating discrimination, harassment and victimization. The legal duty on Universities to protect the rights of women and their right to education applies to decisions on individual cases, as well as policy decisions, meaning the recommendation that HEIs should never investigate or conduct internal disciplinary procedures until an incident has been reported to the police means many HEIs are failing to protect students. This particular recommendation also demonstrates a lack of understanding of the nature of GBV. Evidence shows that the vast majority of incidents of sexual violence, for example, are not reported, and those that are reported and enter the court system can involve lengthy legal proceedings.³⁷ Under Zellick guidelines, the majority of victim/survivors of sexual violence who disclose may see no action taken by their University if they do not report to the police. This can have significant consequences for the individual affected and the wider student community. Given that it is highly likely that the perpetrator is known to the victim/survivor, not only is it also likely that they may be in contact with them again, whether in teaching-learning, social contexts or living arrangements, but that they are potentially at risk of further incidents or threats of violence/abuse.³⁸ This leaves the onus on the individual affected to respond by, for example, changing classes, moving accommodation or by leaving their studies altogether.³⁹ When women and girls are denied access to education due to acts, or threats, of violence and abuse this contributes to the maintenance of wider female inequality. By failing to respond effectively or at all, HEIs are also leaving other students and staff potentially at risk. A second and related concern is that the guidelines do not reflect that HEIs have a duty of care to create a safe environment for students, but arguably prioritise the protection of both the institution and alleged perpetrator.⁴⁰ This remains an important issue in the context of the rising neo-liberalisation and marketisation of higher education, particularly the construction

³⁷ NUS (2015) How to Respond to Complaints of Sexual Violence: The Zellick Report.

³⁸ In Scotland, for example, the Scottish Crime and Justice Survey 2012/13 found that 83% of those who had experienced serious sexual assault since the age of 16 said that they knew the offender in some way, 54% said that the perpetrator was their partner. Scottish Government (2014) Scottish Crime and Justice Survey 2012/13: Sexual Victimization & Stalking. www.gov.scot/Publications/2014/06/3479

³⁹ Hidden Marks found that 13% of victims of serious sexual assault reported that they considered leaving their course; NUS (2016) Access Denied: Universities are failing survivors of sexual assault, www.nusconnect.org.uk/articles/access-denied-universities-are-failing-survivors-of-sexual-assault

⁴⁰ NUS (2015) How to Respond to Complaints of Sexual Violence.

of students' rights as consumers under consumer protection law.⁴¹ The Zellick recommendations pay little attention to the rights of victim/survivors and fail to advise on how to support them and seem to largely discourage students from reporting incidents.

In light of these issues, and growing pressure nationally from student campaigning for the creation of new robust reporting and disciplinary guidelines and victim/survivor support, Universities UK, in late 2016 produced new guidance for HEIs on how to respond to alleged student misconduct that may also constitute a criminal offence, with some specific recommendations in relation to sexual misconduct.⁴² Significantly, the new recommendations emphasise that Universities have a duty of care to all students, and that institutions should uphold this duty of care towards victim/survivors whether or not they choose to report to the police.⁴³ HEIs must ensure that both the reporting and accused individuals have access to appropriate support and advice, from the time the incident is first reported until the relevant internal/external, criminal/disciplinary processes have concluded, and beyond.⁴⁴ The new recommendations also emphasise the importance of appropriately trained staff to co-ordinate internal and external support; clear, accessible reporting pathways and ensuring all University staff have a basic understanding of how to respond to disclosures. If the reporting student does not make a report to the police, or the police do not investigate or the court decides not to prosecute, the reporting student should have the option of requesting the University manage it under its internal disciplinary process. Only in 'exceptional circumstances', should the University report an alleged crime to the police against the wishes of the victim/survivor. The guidelines also recommend that HEIs undertake regularly reviewed risk assessments on a case-by-case basis.⁴⁵ Risk assessments should consider academic, housing, finance, health and well-being issues, including support

⁴¹ Phipps, A. Neoliberalisation and 'Lad Cultures' in Higher Education. *Sociology*, 49(2), pp. 305-322; HE Consumer Compliance Team (2015) 'UK higher education providers – advice on consumer protection law: Helping you comply with your obligations' www.gov.uk/government/uploads/system/uploads/attachment_data/file/428549/HE_providers_-_advice_on_consumer_protection_law.pdf

⁴² Launched in November 2015, the NUS #StandByMe Campaign called upon HEIs to reject the Zellick guidelines and called for the creation of new robust reporting and disciplinary guidelines and survivor support. NUS (2015) #StandByMe – Supporting Student Survivors. www.nusconnect.org.uk/articles/standbyme-supporting-student-survivors-2

⁴³ Universities UK (2016) Guidance for Higher Education Institutions: How to Handle Alleged Student Misconduct Which May Also Constitute a Criminal Offence, www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2016/guidance-for-higher-education-institutions.pdf.

⁴⁴ Universities UK (2016) Guidance for Higher Education Institutions, p. 4. The new guidelines advise that universities follow two key principles: criminal proceedings should take priority and any internal processes should be suspended until the criminal process has ended. If the incident is not being managed under criminal process or it has concluded, HEIs should consider whether or not a breach of their rules and regulations has occurred and consider the matter internally

⁴⁵ Measures might include restrictions and conditions, suspension or expulsion and are intended to protect the investigation, and the reporting student, whilst the allegation is being managed.

arrangements (e.g. counselling, academic adjustments) and any additional measures (e.g. prohibit accused student from specific buildings and campus areas).⁴⁶ Furthermore, the new guidelines draw a clear distinction between internal University disciplinary processes and external criminal procedures, stressing that Universities cannot determine criminality, but can invoke disciplinary procedures on the balance of probabilities. HEIs have neither the capacity, expertise nor powers to investigate sexual violence allegations but can instead rule on a breach of discipline, such as sexual misconduct and sanctions of alleged student misconduct also differ if managed through internal or external processes. Universities should assist a reporting student to consider the scope and nature of these various options available, applying no pressure to take any particular action.⁴⁷

GBV on UK campuses and wider higher-education contexts has entered the public agenda in recent years, with attention largely focused on sexual harassment and sexual violence amongst students. The evidence suggests that while some HEIs have already taken positive steps to address these issues, there is wide variation across the sector, responses are not always effective and consistent, and more can be done to share good practice across Universities. There is nevertheless, a growing acknowledgement that HEIs have a clear responsibility and duty of care to respond effectively and sensitively, and a systematic, all-encompassing and joined up institution-wide approach has been emphasised. It is argued in this report that response, policy, intervention and prevention needs to be wide and inclusive of all forms of GBV and fully address staff-staff and staff-student violence and abuse. As noted, sexual violence is only one form of abuse, and widening the focus to all forms of GBV not only acknowledges that individuals may experience more than one form and that the negative and cumulative impact can reach beyond the home, across social space, and throughout the lifespan, contextualises GBV within wider social and structural gender inequalities.⁴⁸ The following section explores more closely the situation in the Scottish Higher Education context and offers an overview of the ESHE project which is implementing Scotland's national VaWG policy into a HE setting. Thereafter, it presents the findings from ESHE's review of existing policy and practice, prevention and intervention, in relation to GBV across Scotland's 19 HEIs.

⁴⁶ Universities UK (2016) Guidance for Higher Education Institutions, p. 8.

⁴⁷ Universities UK (2016) Guidance for Higher Education Institutions, p. 10.

⁴⁸ Scottish Government (2009) Safer Lives: Changed Lives – A shared approach to tackling violence against women www.gov.scot/Publications/2009/06/02153519/0

Scottish Context

While there is a growing body of work on institutional responses to, and current and best practice for preventing GBV (largely sexual violence) in HEIs in the UK as a whole, it is important to investigate the policy and practice currently in place across Higher Education in Scotland.⁴⁹ As noted, only five of 19 Scottish HEIs contributed to the UUK taskforce *Changing The Culture* report in 2016.⁵⁰ Scottish Universities have not been immune from incidents of sexual violence and harassment amongst students as evidenced by a number of prominent media examples.⁵¹ Moreover, Scotland's policy position derives from an explicitly gendered analysis and definition of violence and abuse.⁵² As noted, the Scottish Government regards GBV as both a cause and consequence of gender inequality, defining it as:

An abuse of male power and privilege. It takes the form of actions that result in physical, sexual and psychological harm or suffering to women and children, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It is men who predominantly carry out such violence, and women who are predominantly the victims of such violence...By referring to violence as 'gender based' this definition highlights the need to understand violence within the context of women's and girl's subordinate status in society. Such violence cannot be understood, therefore, in isolation from the norms, social structure and gender roles within the community, which greatly influence women's vulnerability to violence.⁵³

⁴⁹ Donaldson (2016) Tackling 'Lad Culture' on Campus.

⁵⁰ For an exception see e.g. Clark (2016) Higher Education Institutions' Responses to Sexual Violence. Scottish Universities who responded to the UUK consultation were Heriot-Watt University, University of Edinburgh, University of Aberdeen, University of Glasgow and University of Stirling.

⁵¹ 'Sexism at university: how Stirling Uni's hockey team changed my mind', The Telegraph, 18th November 2013, www.telegraph.co.uk/education/universityeducation/student-life/10456763/Sexism-at-university-how-Stirling-Unis-hockey-team-changed-my-mind.html; 'Edinburgh University investigates rape threats by 'fraternity'' BBC Scotland, 20th November 2014, www.bbc.co.uk/news/uk-scotland-edinburgh-east-fife-30128674; 'Extent of Sexism Revealed at Glasgow University', Glasgow Guardian, 13th April 2016, glasgowguardian.co.uk/2016/04/13/extent-of-sexism-revealed-at-glasgow-university/; 'Revealed: More than 30 sexual assaults reported by students at Scottish universities and colleges in four years', Daily Record, 10th April 2016, www.dailyrecord.co.uk/news/scottish-news/revealed-more-30-sexual-assaults-7726858; 'Universities tackle sexual assault on campus', BBC Scotland, 15th September 2016, www.bbc.co.uk/news/uk-scotland-37370888; 'Dundee students could be given mandatory sexual consent classes', The Courier, 11th October 2016, thecourier.co.uk/fp/news/local/dundee/296990/students-could-be-given-mandatory-consent-classes/; 'Top Scottish university could introduce mandatory sex classes', DeadlineNews, 11th October 2016, www.deadlinenews.co.uk/2016/10/11/top-scottish-university-introduce-mandatory-sex-classes/; 'Revealed: the shocking truth about Scotland's rape culture on campus', Sunday Herald, 4th December 2016, www.heraldscotland.com/news/14945204.Revealed_the_shocking_truth_about_Scotland_39_s_rape_culture_on_campus/; 'SRC offers sexual violence workshop to all students', Glasgow Guardian, 7th November 2016, glasgowguardian.co.uk/2016/11/07/src-offers-sexual-violence-workshop-to-all-students/; 'Strathclyde University pledge to tackle sexual violence among students', The Evening Times, 2nd Jan 2017, www.eveningtimes.co.uk/news/14997421.Strathclyde_University_pledge_to_cut_sex_crimes_on_campus/

⁵² Scottish Government (2003) Preventing Domestic Abuse: A National Strategy, www.gov.scot/Resource/Doc/47176/0025563.pdf; Scottish Government (2008) National Domestic Abuse Delivery Plan for Children and Young People, www.gov.scot/Publications/2008/06/17115558/0; Scottish Government (2009) Safer Lives: Changed Lives; Scottish Government (2014) Equally Safe.

⁵³ Scottish Government (2016) Equally Safe, p.10.

The Scottish Government identifies a broad range of public and private forms of gendered interpersonal violence and abuse which includes: physical, sexual and psychological violence in the family, general community or institutions, including domestic abuse, rape, incest and child sexual abuse; sexual harassment and intimidation at work and in public; commercial sexual exploitation including prostitution, pornography and trafficking; as well as so called 'honour based' violence, including dowry-related violence, female genital mutilation, forced and child marriages and 'honour' crimes (relevant bills and legislation listed in Appendix Two). *Equally Safe* maintains this gendered analysis. Emphasising a national approach to address issues across all aspects of public life, the policy recognises that GBV is a significant equality, human rights and public health issue, which cuts across the whole of society, including further and higher education. This strategic, national Scottish approach has been recognised as progressive - a Scottish Model for the prevention and elimination of GBV.⁵⁴ It focuses on the need for prevention of violence and prioritises gender equality, intervening early and effectively to prevent violence and maximising the safety and wellbeing of women, children and young people, and tackling perpetrators.

The ESHE project (Case Study A, Appendix Four) aims to prevent GBV in Higher Education by implementing *Equally Safe* in a HEI setting. As well as producing a freely available national Toolkit for Scotland's Higher Education sector and implementing activity across four work-streams, policy and campus safety; prevention; early intervention; and curriculum development and knowledge exchange, the project's research, of which this review is part of, will generate new data on attitudes to, and the extent of, gender-based violence among a whole campus, student and staff, cohort. There is currently no comprehensive data to indicate how many University students or staff are affected by GBV in Scotland.⁵⁵ For sexual violence and harassment experienced by students specifically, evidence is limited to the 2011 National Union of Students *Hidden Marks* findings for the UK as a whole (including a small Scottish sample), as well as smaller scale, Students' Association led campus research.⁵⁶ In 2014, a report by Edinburgh University Students' Association (EUSA), based on a research survey on *Student's Experiences of Sexual Harassment in Edinburgh* with 781 students, found that nearly one in three Edinburgh

⁵⁴ Coy, M., Lovett, J., and Kelly, L. (2008) Realising Rights, Fulfilling Obligations: A Template for an Integrated Strategy on Violence against Women for the UK End Violence Against Women.

www.endviolenceagainstwomen.org.uk/data/files/realising_rights_summary.pdf; Coy, M., and Kelly, L. (2009) Map of Gaps 2; the Postcode Lottery of Violence against Women Support Services in Britain. (End Violence Against Women Equalities and Human Rights Commission).

⁵⁵ Clark, N. (2016) Higher Education Institutions' Responses to Sexual Violence.

⁵⁶ UUK (2016) Changing the Culture, p. 1. For Hidden Marks responses from Scotland, Wales and Northern Ireland combined comprised only 17% of all returns.

University students have experienced sexual harassment during their time at University, with 61% claiming they had changed their behaviour around Edinburgh due to safety fears.⁵⁷ A small-scale survey of 131 students, carried out by the University of Glasgow's Isabella Elder Feminist Society in 2015 on *Student's Views of Sexism and Sexist Behaviours* also found that 34% of students had experienced sexual harassment while at University, with 63% of the victim/survivors saying that they did not feel able to report the harassment to a person in a position of responsibility. The most common incidents included sexual comments or jokes, inappropriate sexual advances or assault, and being exposed to sexually explicit communications.⁵⁸ Evidence is therefore limited to student experiences, as well as sexism and sexual harassment.

Despite the wide reporting of these findings, particularly of *Hidden Marks*, few UK HEIs provide information on the number of incidents of sexual/gendered violence reported at their University, or have attempted to collect data on the prevalence of GBV on their campus, meaning there is a dearth of data available on prevalence and reporting.⁵⁹ Moreover, official University records contrast starkly with the figures detailed above. A series of Freedom of Information Requests to Scottish Universities asking how many of their students had reported being sexually assaulted or raped in the period 2012-2015 (Table Six, Appendix Three), revealed that of the seven Universities which responded, totals recorded ranged from zero to 28 over the three-year period.⁶⁰ Both the University of Aberdeen and the University of the West of Scotland state that there have been no reported cases of sexual assaults on campus during that period. Stirling University reported four cases, the University of Edinburgh two cases, and Edinburgh Napier University reported cases as less than five: 'the numbers are so low that providing...the exact number may put those involved at risk of being identified.'⁶¹ The University of Glasgow reported eight cases of sexual assault and five cases of rape, whilst there have been 28 reports of 'sexual misconduct' recorded by Student Services at the University of St Andrews. Furthermore, the more recent investigation by the *Guardian* in March 2017 highlights similarly low reporting and/or recording rates for cases of staff-on-student and staff-on-staff sexual harassment (Table Seven,

⁵⁷ 'Nearly a third of Edinburgh University students have experienced sexual harassment, survey finds', The Independent, 1st May 2014, www.independent.co.uk/student/news/nearly-a-third-of-edinburgh-university-students-have-experienced-sexual-harassment-survey-finds-9305482.html

⁵⁸ 'Extent of Sexism Revealed at Glasgow University', Glasgow Guardian, 13th April 2016, glasgowguardian.co.uk/2016/04/13/extent-of-sexism-revealed-at-glasgow-university/

⁵⁹ Bows et al (2015) Rapid Evidence Assessment of Current Interventions, Approaches, and Policies on Sexual Violence on Campus, p. 3.

⁶⁰ Freedom of Information requests by Sarah Young (2016), www.whatdotheyknow.com/user/sarah_young, Accessed 6. Feb 2017.

⁶¹ Ibid.

Appendix Three). For the twelve Scottish HEIs included, there are less than 18 allegations of staff-student sexual harassment, and nine allegations of staff-on-staff sexual harassment for the period 2011/2012 to 2016-2017.⁶² Of those 31 allegations in total, 26 were investigated.

Like those in the rest of the UK, these official figures are likely to significantly underestimate the scale of sexual violence and harassment in Scottish Universities. The low figures similarly highlight the absence of clear, robust reporting mechanisms as an additional barrier to disclosing, reporting and help-seeking. Indeed, Universities reporting a higher number of allegations are not necessarily those with higher incident rates, but instead demonstrate where HEIs are addressing sexual violence and harassment, and have policies and systems in place. The University of St Andrews *Sexual Misconduct Policy*, for example, highlights that where an explicit and widely available policy and procedure exists, there can be an increase in reporting levels.⁶³ The following section will explore more fully current GBV policy and practice across Scotland's 19 HEIs.⁶⁴

⁶² 'Sexual harassment allegations: find figures for UK universities', The Guardian, 5th March 2017, www.theguardian.com/education/ng-interactive/2017/mar/05/sexual-harassment-allegations-find-figures-uk-universities

⁶³ Durham University (2016) *The Sexual Violence Taskforce: Next Steps*, www.dur.ac.uk/resources/svtf/RecommendationsoftheSexualViolenceTaskForce.pdf, p. 2.

⁶⁴ As noted, this review provides a snapshot of current, publically available activity between January and February 2017.

Findings for Scotland

The review has found that there is important activity occurring across Scotland's Higher Education landscape to address, prevent and respond to GBV. As demonstrated by Figure 1.0, this activity is diverse and varied between, and within, institutions. In line with UK higher education as a whole, the existence of separate and distinct policies and procedures to address GBV are novel in Scotland, though a handful of institutions are beginning to introduce such measures. This highlights the growing recognition that HEIs have a responsibility to reframe existing policy frameworks in order to incorporate robust measures to prevent GBV on their campuses. It also demonstrates, however, that very few Universities currently have in place all of the necessary elements for effective prevention and response. Indeed, there is wide variation across the sector and activity is largely concentrated in a few HEIs. While some Scottish HEIs are developing distinct GBV and sexual violence policies, other Universities fail to signpost basic information for specialist, external support organisations on their institutional or Students' Association websites. How Universities manage acts of student misconduct which could constitute a serious criminal offence, such as sexual assault or rape also varies, with a number continuing to use as the Zolick guidelines as a basis for their internal disciplinary procedures.⁶⁵ There are positive initiatives and prevention strategies being implemented by institutions and their students' unions aimed at generating cultural change, including workshops and bystander-training sessions about sexual consent and relationships, as well as zero tolerance to sexual harassment policies. These are often in partnership with external organisations such as local rape crisis centres and police. Intervention is largely limited to signposting to external specialist support and internal counselling services, only a minority of HEIs appear to have specially trained staff or specific support *on campus*. Overall, positive interventions, prevention campaigns, initiatives and policies are evident but significant work is needed to robustly address GBV, with a more systematic, co-ordinated and University-wide approach, both within and across Universities, required. Students must be equally protected and supported regardless of which University they attend. Policy and practice must also address all forms of GBV, not only sexual violence and harassment, as well as consider the incidents and experiences of violence by and affecting staff. The following sections discuss the findings of the review, covering the following areas: GBV policy, prevention and early intervention.

⁶⁵ UUK (2016) *Changing the Culture*, p. 56.

Figure 1.0: An Overview of Policy, Prevention and Intervention

University	University Policies	Prevention, Workshops & Campaigns	Early Intervention
Abertay University	Moderate	Moderate	Moderate
Edinburgh Napier University	Moderate	Poor	Moderate
Glasgow Caledonian University	Good	Good	Good
Glasgow School of Art	Moderate	Poor	Poor
Heriot Watt University	Good	Moderate	Good
Open University Scotland	Moderate	Poor	Poor
Queen Margaret University	Moderate	Poor	Poor
Robert Gordon University	Good	Moderate	Poor
Royal Conservatoire of Scotland	Moderate	Poor	Poor
Scotland's Rural College	No Info	Poor	Poor
University of Aberdeen	Moderate	Moderate	Good
University of Dundee	Good	Good	Poor
University of Edinburgh	Moderate	Good	Good
University of Glasgow	Moderate	Good	Good
University of St Andrews	Good	Good	Good
University of Stirling	Good	Good	Good
University of Strathclyde	Moderate	Good	Good
University of the Highlands and Islands	No Info	Poor	Moderate
University of the West of Scotland	Good	Good	Moderate

● : Good
● : Moderate
● : Poor
● : No Info

Policy

In line with the UK higher education sector, the majority of Scottish HEIs do not have explicit, distinct policies and procedures for responding to incidents of GBV, whether in relation to staff or students. Instead, it is commonplace for institutions to have an overarching policy covering a wide range of incidents relating to bullying and harassment, with sexual harassment the form of GBV most commonly taken into account in existing University policies. It features in all 19 HEI general Bullying and Harassment or Dignity and Respect at Work and Study policies. Coverage of sexual harassment within these overarching policies, highlighted in Table One (Appendix Three), also varies. Eleven HEIs refer to it briefly among a wide range of potential bullying and harassment behaviours, while eight institutions discuss sexual harassment thoroughly, providing one or more of the following: legal definitions, specific illustrations or a separate and specific section. The University of Stirling’s *Anti-Bullying and Harassment Policy* provides a comprehensive illustration, with three specific examples of sexual harassment involving staff and students.⁶⁶

⁶⁶ University of Stirling, *Anti-Bullying and Harassment Policy - Staff and Students*.

Three Scottish HEIs currently have distinct sexual misconduct policies and/or guidelines. In 2015, the University of St Andrews produced a *Sexual Misconduct Policy* (Case Study E, Appendix Four).⁶⁷ As well as providing advice and resources for students dealing with issues around sexual misconduct, it also sets out clearly the University's role and responsibilities, explaining what victim/survivors can do, but also what they can expect the University to do. This includes procedures regarding risk assessments, protocols with the police, and disciplinary action. It provides clear guidelines regarding who to contact, defines unacceptable behaviours, and highlights support pathways for both those accused of and affected by sexual misconduct. The policy guidelines also cover issues of consent; alcohol and drug use and state unequivocally that sexual violence is not tolerated. The University of Edinburgh has recently (November 2016) produced guidelines for staff and students on how to respond to sexual harassment and assault (Case Study F, Appendix Four).⁶⁸ The new guidelines similarly detail what to do in the event of sexual violence from a student perspective, provide direction for staff responding to disclosures, and signpost how to access internal and external support, whether or not individuals choose to formally report. Most recently (March 2017) the University of Stirling, in partnership with Stirling Students' Union, launched its *Strategy for Preventing & Tackling Sexual Violence & Misconduct*. This policy applies to both staff and students and covers the following areas: information on sexual consent and sexual assault, 'if you have been affected by sexual violence or misconduct', 'if you just want to talk' or 'if you want to report an incident', responding effectively and appropriately to a disclosure of sexual violence and support from external agencies.

The examples of Stirling, Edinburgh and St Andrews Universities highlight the positive steps that some Scottish HEIs have taken, by implementing high-level strategies to address sexual violence. Sexual misconduct is defined within these policies as covering a broad range of inappropriate, unwanted, physical, verbal, non-verbal or online behaviours. From forms of sexual violence including rape and sexual assault, it extends to unwanted touching, stalking, abusive or degrading remarks. It can relate to a one-off incident or be ongoing, can occur whether or not the individuals are in a relationship and can occur towards persons of the same or opposite sex, or those who are transgender; people of any sex or sexual orientation are offered protection and support. These sexual violence strategies are easily accessible, available online and are actively promoted, often by dedicated webpages. They send the message that these Universities do not

⁶⁷ University of St Andrews, Sexual Misconduct Policy Statement, www.st-andrews.ac.uk/students/advice/personal/sexual-misconduct/policy-statement/

⁶⁸ University of Edinburgh, Guidelines for students: What to do if you have been sexually harassed or assaulted. www.ed.ac.uk/students/health/things-not-going-well/sexual-harassment-assault

tolerate sexual violence, are committed to preventing and tackling it, as well as to supporting students who experience it and to taking the appropriate action regarding those who commit it.

Whilst a welcome development, these institutional policies do vary in comprehensiveness. Whilst Edinburgh's policy is limited to sexual abuse guidelines, Stirling's strategy recognizes that sexual violence is largely a gendered crime, with a key element of the longer term plan to 2019 being education about the causes of sexual violence and other forms of VaW and exploration of the links to wider issues of gender equality.⁶⁹ Whether these dedicated sexual violence policies and procedures apply to students, staff or both, also varies. Whilst Stirling's *Sexual Assault & Misconduct Policy* covers both staff and students, St Andrews *Sexual Misconduct Policy* applies only to students and Edinburgh's guidelines are 'intended as a starting point' for students in thinking about the support they require and how to access it, as well as providing guidance for staff in 'what to do if a student tells you they have been sexually harassed or assaulted.'⁷⁰

A small number of Universities are beginning to introduce sexual violence policies, however institutional responses need to be wide and inclusive of all forms of GBV as often acts of abuse and or violence are not isolated or discrete events. HEI policies should cover the wider forms of GBV including for example, intimate partner abuse, forced marriage, commercial sexual exploitation in addition to the narrower focus on sexual violence. As discussed, HEIs must also be mindful that staff as well as students must be equally protected and have clear and supportive reporting pathways and institutional response. For example, Edinburgh's Herriot Watt University is the only Scottish HEI to provide guidance for employees experiencing domestic abuse and for managers dealing with employees who may be experiencing domestic abuse.⁷¹ Other HEIs are in the process of developing similar policies and procedures. The ESHE project at the University of Strathclyde is, as noted, developing GBV policy and procedures for both staff and students to create a campus-wide approach to intervention and prevention. Formed in partnership with key internal and external stakeholders, it will ensure sensitive responses to disclosures, support pathways for those affected and provide interventions with perpetrators. As noted ESHE is also creating a free national Toolkit which will be made available for all HEIs and FEIs to provide

⁶⁹ University of Stirling and the University of Stirling Students' Union, Preventing and Tackling Sexual Violence & Misconduct 2016-2019,

www.stir.ac.uk/media/services/studentssupport/documents/SVM%20Strategy%20-%20Court%20Approved%20Version.pdf

⁷⁰ University of Edinburgh, Supporting Students who report sexual harassment or assault. www.ed.ac.uk/staff/student-support/sexual-harassment

⁷¹ Herriot-Watt, Domestic Abuse Policy.

www.hw.ac.uk/services/docs/GUIDANCEFOREMPLOYEESANDMANAGERSDOMESTICABUSE.pdf

guidance on implementing activity across policy and campus safety; prevention; early intervention; and curriculum development and knowledge exchange,

All Universities have guidelines to manage wider incidents of bullying and harassment at work and study, and sexual harassment and general assault are covered in these, however most HEIs do not have specific arrangements for responding to incidents and disclosures of all forms of GBV. These overarching policies exist with a framework of regulations, including Student and Staff Discipline, Staff Grievance and Complaints Handling Procedures, which are largely inadequate in managing the complexities of this issue. Without the existence of dedicated resources with clear information such as those discussed above, there is often an unclear web of policies and procedures written in bureaucratic and inaccessible language. Both staff and students may be unsure of who they should report to and how the University can and will act. These general policies also tend to recommend that cases and disputes should be resolved *informally* in the first instance, with the alleged perpetrator. Such informal approaches are unsuitable for victim/survivors, who may be put at further risk, and ignore the guidelines of specialist support organisations such as Rape Crisis and Women’s Aid. This approach presents an additional barrier to reporting, and relies on the assumption that perpetrators will alter behaviour when requested. Some HEIs policies do acknowledge that specific arrangements may be put in place in the case of sexual harassment. The University of Strathclyde’s *Dignity and Respect Policy*, for example, states that where behaviour is considered to be ‘an extreme breach of this policy (for example, use of violence or threats of violence or unwanted sexual advances)’, the complaint should be managed under the *formal* complaint procedure immediately.⁷² The Open University’s *Bullying and Harassment Student Code* likewise specifies that any investigation interview will, if possible, be conducted by someone of the same sex, ‘to minimise any feelings of embarrassment.’⁷³ Consistency across institutional policies can also present an issue. For example, the University of Glasgow’s *Dignity at Work and Study Policy* only briefly refers to sexual harassment, while the *Code of Student Conduct* that manages such allegations made against students, explicitly refers to sexual *violence*.⁷⁴

⁷² University of Strathclyde, Dignity and Respect Policy.
www.strath.ac.uk/media/ps/humanresources/policies/DignityandRespectPolicy.pdf

⁷³ Open University, Bullying and Harassment Student Code.
www.open.ac.uk/students/charter/essential-documents/student-code-dealing-bullying-and-harassment

⁷⁴ University of Glasgow, Dignity at Work and Study Policy.
www.gla.ac.uk/services/humanresources/equalitydiversity/policy/dignityatwork/; Code of Student Conduct.

How Universities manage acts of student misconduct which also constitute a serious criminal offence such as sexual assault or rape under their own internal processes, can differ. As demonstrated by Table Two (Appendix Three), approximately 11 Scottish HEIs follow some aspects of the Zellick guidelines by, for example, simply referring students to police, stating the University will always report serious offences to the police or by insisting that victims/survivors must report to police if any action is to be taken by the University. Queen Margaret and Open Universities, for example, specifically note that ‘cases of alleged serious criminal offence, such as physical and sexual assault, must be immediately reported to the police. In such cases the University will take no action under this code (other than suspension, if considered necessary) until the outcome of any criminal investigation is known.’⁷⁵ Again, the various institutional policies and procedures are not always consistent, and can contradict other aspects of guidance and advice. Queen Margaret’s *Student Discipline policy* states that if a person claims to be the victim of a serious offence committed by a student but does not wish the police to be involved, the Principal may agree not to do so. The University’s *Anti-Bullying and Harassment Policy* for students and the *Helping Distressed Students Guide for Staff*, however, both note that where behaviour has been alleged that would amount to a serious criminal offence, e.g. physical or sexual assault, this should be immediately reported to the police.⁷⁶ Herriot-Watt’s *Student Discipline Policy and Procedure* states that where alleged misconduct constitutes a criminal offence, the University may investigate or take disciplinary action whether or not the matter has been referred to the police. Herriot-Watt’s counselling webpage for ‘Rape and Sexual Assault’, however, notes that as the institution has a duty to report any crime of which it learns to the police, University staff cannot keep confidential information regarding rape and sexual assault unless they are working within a formal counselling or medical setting.⁷⁷

It would perhaps be unduly harsh to criticise Universities for not implementing the new UUK guidelines published as recently as October 2016, though clearly the current situation is problematic. As noted, these new recommendations state that universities ‘should only in exceptional circumstances report an alleged crime to the police contrary to the wishes of the

⁷⁵ Open University. ‘What Can I do if I’m being Bullied or Harassed?’

www.open.ac.uk/equality-diversity/content/what-can-i-do-if-i-feel-im-being-bullied-or-harassed Queen Margaret University, *Anti-Bullying and Harassment Policy for Students*.

www.qmu.ac.uk/quality/documents/Anti-Bullying%20and%20Harassment%20Policy%20and%20Procedure%20for%20Students.pdf

⁷⁶ Queen Margaret University, *Policies and Codes of Conduct* www.qmu.ac.uk/quality/gr/

⁷⁷ Herriot-Watt University, *Student Discipline Policy and Procedure*, www.hw.ac.uk/students/doc/discguidelines.pdf; *Rape and sexual Assault Counselling Page*, www.hw.ac.uk/students/health-wellbeing/counselling/problems/rape-sexual-assault.htm

victim', namely 'if the disclosure of information is necessary to protect the reporting student (or others) from harm or to prevent a further crime taking place.'⁷⁸ Whilst HEIs are not placed to undertake a criminal investigation, they should consider the matter internally under separate disciplinary proceedings if desired by the reporting student. Universities should also implement risk assessment protocols and provide support to victim/survivors through either processes, whether or not the incident/s involves another student or member of staff, or occurred on or off campus. The few HEIs with distinct sexual violence policies do highlight these different potential pathways, emphasising 'choice' rather than a particular course of action, and making clear the distinction between criminal and University processes, as well as the limitations and scope of each, including investigation powers and sanctions.

Overall, HEIs must be proactive, rather than reactive, in developing progressive and robust policies and procedures to address and respond to GBV promptly and sensitively. The ultimate aim is to have student and staff procedures that are clear and widely accessible, and which address *all* forms of GBV and abuse, both against and by, staff and students, in higher education contexts. Currently, the positive steps implemented by HEIs has focused particularly on sexual violence. These policies should ideally have the support of strategic leadership and equally, be a joint activity with student and staff representatives and bodies, and combined with other forms of GBV prevention and intervention, to which this review now turns.

Prevention

There are a number of prevention strategies being employed by Scottish Universities to address forms of GBV. As indicated by Table Three (Appendix Three), 12 out of 19 HEIs have developed and/or implemented some form of workshop, training, or campaign, though seven have no visible prevention strategies. In line with wider institutional policies, emphasis is focused upon sexism, sexual violence and harassment, including issues surrounding consent, relationships, nightlife, alcohol and campus safety. Strategies range from online pledges, petitions and voluntary workshops to more comprehensive training sessions and bystander approaches. The vast majority of prevention initiatives aim to generate cultural change in the norms, values, beliefs, and attitudes that contribute to sexual violence. They are largely student led, often by Students' Associations, but some are also in collaboration with the wider University.

⁷⁸ Universities UK (2016) Guidance for Higher Education Institutions: How to Handle Alleged Student Misconduct Which May Also Constitute a Criminal Offence, p. 7.

At St Andrews University, the *Stand Together Initiative*, a collaborative project between the University and the Students' Association, aims to raise awareness surrounding issues such as consent and sexual harassment.⁷⁹ Introduced in 2015, it involves student-led workshops, such as the 'Got Consent?' Initiative, and stresses a bystander intervention approach to the prevention of sexual misconduct. Glasgow, Glasgow Caledonian, Strathclyde and Abertay Universities have also offered similar voluntary workshops, whilst Dundee University is considering making such training mandatory.⁸⁰ The University of the West of Scotland's recent *Standing Safe Campaign* is a multifaceted, collaborative student-led initiative (Case Study C, Appendix Four).⁸¹ Launched in September 2016, the campaign aims to engage students in a range of activities to raise awareness of sexual violence, including focus groups (facilitated by Rape Crisis Lanarkshire), specialist training of student volunteers, workshop, social events and conferences. In September 2016, the University of Edinburgh also launched the 'No One Asks For It' Campaign (Case Study D, Appendix Four). This new anti-sexual harassment campaign was developed in partnership by Edinburgh University Students' Association, Edinburgh University Sports Union, and the University of Edinburgh. It aims to inform and educate students and staff about sexual harassment and violence; encourage peers to challenge 'perpetrators and...inappropriate behaviour' and 'contribute to an environment which is supportive of survivors.'⁸² With a dedicated campaign webpage covering definitions of sexual harassment, consent, 'lad culture' and masculinity, and providing materials and information on reporting and support, 'No One Asks For It' also explicitly acknowledges sexual violence as a gendered issue, in line with the Scottish Government's definition. The campaign is delivering free bystander training sessions for students, as well as those in leadership positions across the University. Moreover, the University of Strathclyde will be implementing the *Intervention Initiative*, the evidence-based bystander intervention programme developed by the University of the West of England at Strathclyde in 2017.⁸³ These initiatives evidence the important prevention work being implemented across Scotland's Higher Education Sector in relation to sexual violence and harassment. They also provide a clear example of the visible commitment which senior leadership can make to an institution-wide culture of zero tolerance to violence, by providing institutional support to the positive action initiated by Students' Associations and Unions. Arguably, cross-institutional approaches, whereby the University and

⁷⁹ University of St Andrews Students' Association, 'Got Consent?' www.yourunion.net/voice/initiatives/gotconsent/

⁸⁰ 'Dundee students could be given mandatory sexual consent classes', *The Courier*, 11th October 2016, thecourier.co.uk/fp/news/local/dundee/296990/students-could-be-given-mandatory-consent-classes/

⁸¹ UWS, *Standing Safe Campaign*, bulletin.uws.ac.uk/2016/05/uws-standing-safe-campaign-launch/

⁸² University of Edinburgh, *No One Asks for it Campaign*. no-one-asks-for-it.com

⁸³ UWE, *Intervention Initiative* <http://www1.uwe.ac.uk/bl/research/interventioninitiative.aspx>

student-led organisations work together, have a greater impact in generating cultural change on campus. Without support by University leadership, student-led preventions and interventions are, moreover, less likely to be effective.⁸⁴

HEIs are also employing cross-institutional and multi-agency prevention approaches. In August 2016, the Universities of Glasgow and Glasgow Caledonian collaborated with Rape Crisis Scotland to provide a student-led training programme on preventing sexual assault on campus (Case Study B, Appendix Four).⁸⁵ The University of Strathclyde is collaborating with the University of the West of Scotland to pilot the Quantitative and Qualitative ESHE project research tools to collect data on the extent of GBV on the four UWS campuses and to compare that against Strathclyde's data.⁸⁶ The University of Abertay is working with Police Scotland and ESHE to develop bystander-training workshops for students, and is also part of a joint working group tackling VaW in Dundee. Prevention initiatives have therefore involved external organisations such as Police Scotland, local Rape Crisis and Women's Aid groups, though as the next section on early intervention will detail, only one University currently has such specialist support on campus. Finally, examples of campus safety arrangements include the Universities of Dundee, Stirling, Strathclyde, Glasgow, Glasgow Caledonian and Abertay's safe taxi and bus schemes.⁸⁷

Students' Unions and Associations therefore play a leading role in preventing GBV on University campuses. They hold a particular function in challenging the attitudes which underpin such violence, and in promoting a culture of zero tolerance to sexual harassment. They often lead campaigns and are imperative to peer-peer training and intervention. Many also have their own distinct policies, as indicated by Table Four (Appendix Three). Eight HEI Students' Associations have zero tolerance to sexual harassment policies, though they vary in their comprehensiveness. Three have formal accreditation from the NUS. St Andrews University Students' Association *Zero Tolerance* policy, for example, defines a practical plan for investigating claims of sexual harassment, provides a clear set of consequences for those found to be guilty of such complaints, and highlights strategies to help those harassed. Security guards and staff are trained in how to prevent sexual harassment within the Students' Association and publicity materials and merchandise are used to further the policy's effectiveness throughout the Students' Association.

⁸⁴ UUK (2016) Changing the Culture.

⁸⁵ 'Student-led training programme on preventing sexual assault launched' (August 2016) www.gcu.ac.uk/newsroom/news/article/index.php?id=221899

⁸⁶ These tools will be made widely available through the ESHE national HE Toolkit.

⁸⁷ DUSA Nightbus, www.dusa.co.uk/advice/safety/; University of Stirling Safe Taxi Scheme, www.stir.ac.uk/safetaxi/

Other associations have adopted a zero tolerance policy but do less practical activity in the way of prevention and intervention.

Overall, there are a number of prevention strategies and activities being adopted by Scottish HEIs to prevent and respond to sexual violence in particular. These initiatives are largely student-led, bottom up approaches, though a few incorporate partnership working between institutions and external organisations. The majority aim to raise awareness of different forms of violence and harassment, facilitate cultural change and promote a culture of zero tolerance. While these initiatives are positive, a comprehensive, University-wide response to *all* forms of GBV is required. Training and workshops, in particular, tend to be voluntary, one-off events, often with a small online presence.⁸⁸ There is also little sense of how much of the University community these preventions are reaching and evaluation of what impact it is having. Moreover, *all* HEIs must take steps to address GBV. At present, activity seems to be largely concentrated in a few HEIs.

Intervention

GBV intervention among Scottish HEIs varies, in terms of both comprehensiveness and effectiveness. Table Five (Appendix Three) details the current forms of support available on campuses for victim/survivors. A minority of institutions have developed specific resources, materials and processes in relation to sexual assault and harassment. Glasgow Caledonian University, for example, have launched a *First Responders Scheme* whereby both staff and students can disclose any incidents of sexual violence and GBV at any time, through email, over the phone or in person, to a specially trained team.⁸⁹ The scheme provides an example of a clearly signposted, visible pathway to support, as well as the way in which individuals can identify 'go to' individuals within the University. Best practice evidence suggests that it is fundamentally important to ensure that students know where and who to report to, and that in turn, all staff across the University have a *basic* knowledge of what to do and who to refer victim/survivors to internally. This ensures the quality of response is consistent across the institution and not dependent on individual staff handling of disclosures. The first responders' scheme at Glasgow Caledonian also demonstrates the way in which HEIs can identify and 'up-skill' staff within the University who will manage the institutional response to GBV.⁹⁰

⁸⁸ Some prevention initiatives have been covered by the Scottish media, but have no visible presence or information on institutional websites.

⁸⁹ Glasgow Caledonian University First Responders Scheme. www.gcu.ac.uk/studentwellbeing/gbv/firstresponders/

⁹⁰ UUK (2016) *Changing the Culture*, p. 52.

As indicated in the prevention section above, a number of HEIs, whether the institution itself or the Students' Association, have made links with external, specialist support organisations in terms of awareness raising and prevention work. Specialist support services for GBV *on campus* are virtually non-existent, however. The University of Stirling Student Services is the only University to offer an on campus support for both students and staff affected by sexual violence. Through a new partnership with Forth Valley Rape Crisis, a Rape Crisis support worker is available on campus one day a week for three hours.⁹¹ As part of the University's new Sexual Violence and Misconduct Working Group, Stirling has also recently organized two voluntary training sessions for staff on 'responding to incidences of sexual violence.'⁹² The early intervention work by the Universities of Glasgow Caledonian and Stirling provide examples of staff development arrangements to support them in responding effectively to GBV. In relation to sexual harassment specifically, nine HEIs have Dignity and Respect Advisers or Harassment Contacts who provide advice and support in all cases of bullying and harassment for staff and students. It is not clear whether they are specially trained in receiving disclosures.

Internally, all HEIs offer general counselling services for both staff and students as well as student-led peer-to-peer support at Students' Association advice centres and nightlines. Coverage of GBV on counselling, well-being and student advice webpages vary by institution, as does signposting to external support organisations and services such as Rape Crisis or Women's Aid. Twelve HEIs provide some form of signpost or contact information, including seven HEIs which have stand-alone webpages dedicated to sexual violence, GBV or VaW. Seven HEI websites lack basic information to inform students about what support is available, internally or externally. Dedicated GBV/sexual violence resource pages also vary in comprehensiveness.⁹³ Whilst the Universities of Glasgow and Aberdeen provide general information and contact information for University counselling services and external support, the Universities of St. Andrews and Edinburgh, as noted, set out clearly the University's roles and responsibilities.⁹⁴ They also provide guidance from the perspective of staff and students, victim/survivors and alleged perpetrators. Though students who have experienced sexual violence and/or harassment are generally signposted to internal services such as student counselling, institutional information does not always align. For example, on the University of Aberdeen's Students' Association dedicated

⁹¹ University of Stirling Student Bulletin: Sexual Violence Support. www.stir.ac.uk/comms/student-bulletin/2016/12/8/

⁹² University of Stirling Staff Bulletin: Responding to incidences of sexual violence. www.stir.ac.uk/comms/roundup/2016/09/21/

⁹³ Aberdeen, Edinburgh, Glasgow, Heriot-Watt, St Andrews.

⁹⁴ University of Glasgow, Sexual Assault Support and Resources, www.gla.ac.uk/students/wellbeing/sexualassaultsupport/

webpage for 'Violence against Women', students are signposted to the University's internal counselling services. On the counselling webpage to which they're directed, however, issues surrounding GBV are not referred to amongst the wide range of potential issues students may seek counselling for, such as stress, anxiety and money advice.⁹⁵ Other institutions may highlight one form of GBV, or refer vaguely to 'relationship problems.' This inconsistency may mean some students do not feel able to seek support.

Overall, intervention varies by institution. Very few Universities are responding to GBV specifically and information, even regarding external specialist support, is not always clearly signposted. A few HEIs are beginning to introduce set measures and clear pathways by, for example, implementing first responders' schemes, on campus sexual violence support, and dedicated information webpages. HEIs must break down the barriers to reporting incidents and experiences of GBV by ensuring students and staff are aware of available support, on and off campus, and by taking steps to ensure they access that support quickly. Moreover, Universities should ideally be involved in local VaWG partnerships and services and seek the expertise of specialised services, ensuring that HEIs become part of the local coordinated responses to GBV (see Appendices Five and Six).

⁹⁵ Aberdeen University Students' Association, Violence Against Women www.ausa.org.uk/supportingyou/equality/violence/

Conclusions and Next Steps

HEIs have a key role to play in preventing and responding effectively to all forms of GBV, and in challenging the attitudes that underpin such violence. This review has illustrated some of the existing policy and practice across Scotland's higher education sector to address this issue. It has found that there is positive activity underway in the form of response, intervention and prevention, but further work is necessary. In particular, there is wide variation between and within Universities, and activity is not always consistent, joined up or transparent. While a minority of Universities have, or are currently developing, specific sexual violence policies, other HEIs do not, at a minimum, signpost to external specialist support organisations. Although universities are not legally required to have distinct GBV policies, this review and existing research shows the need for HEIs to develop an effective response to these forms of violence. The current situation is problematic, with complaints and disciplinary procedures often inappropriate and unsuitable for victim/survivors. Prevention and response also needs to address all forms of GBV across public and private spaces, beyond sexual violence and harassment, and cover staff as well as students. By engaging with and taking a whole systems approach, this acknowledges that sexual violence is only one aspect of GBV, and contextualises it within wider structural inequalities, in line with the Scottish Government's definition. HEIs must address wider gender inequalities and culture/s which sustain GBV through widespread cultural change and shifting of social norms. Moreover, a consistent approach across Scotland's higher education sector is required to address Scotland's national approach to the eradication of GBV. Currently, the vast majority of activity is concentrated in a handful of Universities. The ESHE national Toolkit, developed at the University of Strathclyde, will make a sector-wide response possible as well as promote consistency within and between individual HEIs. Given the limitations of desk-based research, principally that not all elements of HEI policy and practice are publically available or easily accessible online, and that activity can be fast paced, part two of the review will consult further with HEIs on current and planned action through conversations with key representatives at the Universities. This report is envisaged as a live document, updated as good practice is shared and implemented. At the time of this review (January-March 2017), it is estimated that:

Policy

- Two HEIs have a formal policy on sexual misconduct.⁹⁶
- One HEI has specific guidelines (for staff and students) on sexual harassment and assault.⁹⁷
- Four HEIs have GBV policy working groups.⁹⁸
- All 19 HEIs have general policies for dignity and respect at work and study and bullying and harassment, as well as staff and student discipline policies, which cover some forms of GBV, namely sexual harassment.

Prevention

- 12 HEIs have introduced some form of prevention, education, training or campaign.⁹⁹
- Four HEIs have formal partnerships with local/national Rape Crisis Centres.¹⁰⁰
- Eight HEIs have worked with external organisations such as Rape Crisis Centres or Police Scotland to deliver specific training or education initiatives.¹⁰¹
- Six HEIs have offered voluntary consent workshops.¹⁰²
- Eight HEIs have or are developing bystander approaches.¹⁰³

Intervention

- All 19 HEIs provide a counselling service to staff and students.
- Two HEIs have a first responder's scheme.¹⁰⁴
- Nine HEIs have Dignity and Respect Advisers and Harassment Contacts.
- One HEI offers specialist, on campus, support to victim/survivors of sexual violence.¹⁰⁵
- 12 HEIs signpost to external, specialist support services.¹⁰⁶ Seven do not.¹⁰⁷
- Seven HEIs have dedicated sexual violence, GBV or VaW webpages.¹⁰⁸

⁹⁶ St Andrews, Stirling.

⁹⁷ Edinburgh.

⁹⁸ Glasgow Caledonian, Glasgow, Stirling, Strathclyde.

⁹⁹ Aberdeen, Abertay, Dundee, Edinburgh, Glasgow Caledonian, Glasgow, Heriot-Watt, Robert Gordon, St Andrews, Stirling, Strathclyde, UWS.

¹⁰⁰ Glasgow Caledonian, Glasgow, Stirling, Strathclyde.

¹⁰¹ Abertay, Dundee, Edinburgh, Glasgow Caledonian, Glasgow, Stirling, Strathclyde, UWS.

¹⁰² Abertay, Dundee, Glasgow, St Andrews, Strathclyde, UWS.

¹⁰³ Abertay, Glasgow Caledonian, Glasgow, Edinburgh, St Andrews, Strathclyde, UWS.

¹⁰⁴ Glasgow Caledonian, St Andrews.

¹⁰⁵ Stirling.

¹⁰⁶ Aberdeen, Abertay, Edinburgh, Edinburgh Napier, Glasgow Caledonian, Glasgow, Heriot-Watt, Highlands and Islands, St Andrews Stirling, Strathclyde, UWS.

¹⁰⁷ Dundee, Glasgow School of Art, Open University, Queen Margaret, Robert Gordon, Royal Conservatoire, Scotland's Rural College.

¹⁰⁸ Aberdeen, Edinburgh, Glasgow Caledonian, Glasgow, Heriot-Watt, St Andrews, Strathclyde.

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Appendices

APPENDIX ONE - HIGHER-EDUCATION INSTITUTES IN SCOTLAND

Abertay University
Edinburgh Napier University
Glasgow Caledonian University
Glasgow School of Art
Heriot-Watt University
Open University Scotland
Queen Margaret University
Robert Gordon University
Royal Conservatoire of Scotland
Scotland's Rural College
University of Aberdeen
University of Dundee
University of Edinburgh
University of Glasgow
University of St Andrews
University of Stirling
University of Strathclyde
University of the Highlands and Islands
University of the West of Scotland

APPENDIX TWO - RELEVANT BILLS AND LEGISLATION

- [Human Rights Act 1988](#)
- [Vulnerable Witnesses \(Scotland\) Act 2004](#)
- [Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005](#)
- [Prohibition of Female Genital Mutilation \(Scotland\) Act 2005](#)
- [Protection of Vulnerable Groups \(Scotland\) Act 2007](#)
- [Sexual Offences \(Scotland\) Act 2009](#)
- [Domestic Abuse \(Scotland\) Act 2011](#)
- [Children's Hearings \(Scotland\) Act 2011](#)
- [Forced Marriage etc. \(Protection and Jurisdiction\) \(Scotland\) Act 2011](#)
- [Children and Young People Scotland Act 2014](#)
- [Victims and Witnesses \(Scotland\) Act 2014](#)
- [Anti-social Behaviour, Crime and Policing Act 2014](#)
- [Human Trafficking and Exploitation \(Scotland\) Act 2015](#)
- [Abusive Behaviour and Sexual Harm \(Scotland\) Bill 2015](#)

APPENDIX THREE – REVIEW FINDINGS

Table 1: University Policies

University	Does the Policy Refer to Sexual Violence and/or Harassment?	Relevant University Policy	Related Policies
Abertay University	Yes - Limited	<ul style="list-style-type: none"> University Bullying and Harassment Guidelines for Staff and Students 	<ul style="list-style-type: none"> Code of Student Discipline Social Media Policy Staff Discipline Procedure
Edinburgh Napier University	Yes - Limited	<ul style="list-style-type: none"> Bullying and Harassment Policy (Staff) 	<ul style="list-style-type: none"> Campus and Classroom Conduct: Student Code Student Conduct Regulations Staff Disciplinary Procedure Grievance Policy and Procedure
Glasgow Caledonian University	Yes - Thorough	<ul style="list-style-type: none"> Harassment Policy – Staff and Students Dignity at Work and Study Policy 	<ul style="list-style-type: none"> Conflict and Complaints Resolution Policy (Staff) Complaints Handling Procedure (Students) Code of Student Conduct
Glasgow School of art	Yes - Limited	<ul style="list-style-type: none"> Dignity and Respect at Work and Study Bullying and Harassment Policy (Staff and Students) 	<ul style="list-style-type: none"> Grievance Procedure (Staff) Disciplinary Procedure (Staff) Student Complaints Procedure Student Discipline Admissions Policy
Heriot Watt University	Yes - Thorough	<ul style="list-style-type: none"> Bullying and Harassment Policy and Procedure for Students Bullying and Harassment Policy and Procedure for Staff Domestic Abuse Guidance 	<ul style="list-style-type: none"> Student Discipline Policy and Procedure Complaints Handling Procedure Equality and Diversity Policy Grievance Policy (Staff) Disciplinary Policy (Staff)
Open University Scotland	Yes - Limited	<ul style="list-style-type: none"> Bullying and Harassment Student Code Bullying and Harassment Code of Practice for Staff. 	<ul style="list-style-type: none"> Code of Practice for Student Conduct Student Complaints and Appeals Procedure Coe of Personal Relationships Between Staff and Students
Queen Margaret University	Yes - Limited	<ul style="list-style-type: none"> Anti-Bullying and Harassment Policy for Students 	<ul style="list-style-type: none"> Code of Conduct (Student) Equality Policy (Staff and Students) Student Disciplinary Procedure

			<ul style="list-style-type: none"> ▪ <i>Staff Disciplinary Procedure</i>
Robert Gordon University	Yes - Thorough	<ul style="list-style-type: none"> ▪ <i>Bullying and Harassment Policy Student and Staff</i> 	<ul style="list-style-type: none"> ▪ <i>Student Complaints Procedure</i> ▪ <i>Staff Grievance Policy</i> ▪ <i>Disciplinary Procedure (Staff)</i> ▪ <i>Student Misconduct Procedure</i>
Royal Conservatoire of Scotland	Yes - Limited	<ul style="list-style-type: none"> ▪ <i>Dignity at Work and Study Policy and Procedure</i> 	<ul style="list-style-type: none"> ▪ <i>Staff Disciplinary and Dismissal Policy</i> ▪ <i>Student Disciplinary Procedure</i> ▪ <i>Staff Relationships with Students</i> ▪ <i>Complaints Handling Procedure</i>
Scotland's Rural College	<i>Not Publically Available</i>		
University of Aberdeen	Yes - Limited	<ul style="list-style-type: none"> ▪ <i>Staffing Policies Against Discrimination, Harassment and Bullying in the Workplace (no equivalent policy for students)</i> 	<ul style="list-style-type: none"> ▪ <i>Staff Disciplinary Procedure</i> ▪ <i>Staff Grievance Procedure</i> ▪ <i>Student Disciplinary Procedure. Code of Practice on Student Discipline (non-academic)</i> ▪ <i>Complaints Handling Procedure</i>
University of Dundee	Yes - Thorough	<ul style="list-style-type: none"> ▪ <i>Dignity at Work and Study Policy</i> 	<ul style="list-style-type: none"> ▪ <i>Ordinance 40 on Student Discipline</i> ▪ <i>Staff Disciplinary Procedure</i> ▪ <i>Staff Grievance Procedure</i>
University of Edinburgh	Yes - Limited	<ul style="list-style-type: none"> ▪ <i>Dignity and Respect Policy</i> 	<ul style="list-style-type: none"> ▪ <i>Code of Student Conduct</i> ▪ <i>Staff Grievance Policy and Procedure</i>
University of Glasgow	Yes - Limited	<ul style="list-style-type: none"> ▪ <i>Dignity at Work and Study Policy and Procedure (Students and Staff)</i> 	<ul style="list-style-type: none"> ▪ <i>University Complaints Procedure</i> ▪ <i>Code of Practice on Unacceptable Behaviour</i> ▪ <i>Code of Student Conduct</i> ▪ <i>Staff Grievance Procedure</i> ▪ <i>Staff Disciplinary Procedure</i>
University of St Andrews	Yes - Thorough	<ul style="list-style-type: none"> ▪ <i>Sexual Misconduct Policy</i> 	<ul style="list-style-type: none"> ▪ <i>Harassment and Bullying at Work and Study</i> ▪ <i>Policy on Relationships between Staff and Students</i> ▪ <i>Non-Academic Misconduct Policy (Students)</i> ▪ <i>Staff Disciplinary Procedure</i>
University of Stirling	Yes - Thorough	<ul style="list-style-type: none"> ▪ <i>Strategy for Preventing & Tackling Sexual Violence & Misconduct</i> 	<ul style="list-style-type: none"> ▪ <i>Anti-Bullying and Harassment Policy (Students)</i> ▪ <i>Anti-Bullying and Harassment Policy (Staff)</i> ▪ <i>Ordinance 2 – Code of Student Discipline</i>

			<ul style="list-style-type: none"> ▪ <i>Complaints Handling Procedure</i> ▪ <i>Staff Grievance Procedure</i> ▪ <i>Staff Disciplinary Procedure</i>
University of Strathclyde	Yes - Limited	<ul style="list-style-type: none"> ▪ <i>Dignity and Respect Policy</i> ▪ <i>GBV policy Staff and Students (in development)</i> 	<ul style="list-style-type: none"> ▪ <i>University Complaints Handling Procedure</i> ▪ <i>Student Disciplinary Procedure</i> ▪ <i>Staff Disciplinary Procedure</i>
University of The Highlands and Islands	Yes - Limited	<ul style="list-style-type: none"> ▪ <i>Dignity and Respect at Work Policy</i> ▪ <i>University of the Highlands & Islands does not have a dignity and respect policy, or bullying and harassment policy, for students.</i> 	<ul style="list-style-type: none"> ▪ <i>Disciplinary Policy</i> ▪ <i>Grievance Policy</i>
University of The West of Scotland	Yes - Thorough	<ul style="list-style-type: none"> ▪ <i>Dignity and Respect at Work Policy (dealing with bullying and harassment in the workplace)</i> 	<ul style="list-style-type: none"> ▪ <i>Staff Grievance Policy and Procedure</i> ▪ <i>Staff Disciplinary Policy and Procedure</i> ▪ <i>Code of Discipline For Students</i> ▪ <i>Complaints Handling Procedure</i>

*Limited: Sexual harassment/violence is referred to briefly within a wide range of potential bullying and harassment behaviours

Thorough: Includes one or more of the following: legal definitions, examples, separate section.

Table 2: Student Misconduct Constituting a Criminal Offence

University	Information And Policies Regarding Student Misconduct Constituting A Criminal Offence*
<p>Abertay University</p>	<p><i>Code of Student Discipline: Non-Academic Misconduct (Student)</i></p> <ul style="list-style-type: none"> ▪ Where the misconduct is the subject of a police investigation and/or prosecution, the University retains the right to apply its own procedure concurrently or to await the outcome of any criminal proceedings before deciding whether or not to apply internal procedures. ▪ The University may report to the police any allegation of criminal misconduct if it believes that this will best serve the interests of the University community or the wider public interest. <p><i>Student Disciplinary Code</i></p> <ul style="list-style-type: none"> ▪ The University will always report serious offences to the police (for example, serious or indecent assault).
<p>Edinburgh Napier University</p>	<p><i>Student Conduct Regulations</i></p> <ul style="list-style-type: none"> ▪ In cases of all other offences under criminal law, no action, other than suspension, may be taken under the terms of these Regulations unless the matter has been reported to the police and the offender either prosecuted, or a decision not to proceed has been taken, at which time the Principal and Vice Chancellor may decide whether internal disciplinary action should continue or be taken in the interests of the University community.
<p>Glasgow Caledonian University</p>	<p><i>Code of Student Conduct/ Code of Student Discipline</i></p> <ul style="list-style-type: none"> ▪ Allegations of misconduct which may constitute a criminal offence may be reported to the police by GCU. This will be determined by the University Secretary. ▪ Allegations of misconduct which may constitute a criminal offence will normally precipitate the use of the Code. The University may take action irrespective of whether the matter is pursued by the Police and irrespective of whether criminal proceedings are initiated. The University may adjourn any internal disciplinary action in respect of alleged criminal misconduct to await the outcome of any criminal proceedings. <p><i>Harassment Policy – Staff and Students</i></p> <ul style="list-style-type: none"> ▪ If you have been physically attacked, or threatened, seek help immediately from the police, your line manager or one of the Harassment Advisers. They will give you support and help you decide how to proceed. No one will be contacted without your prior knowledge. If you decide to involve the police, the Harassment Adviser can accompany you, if you so wish.
<p>Glasgow School of Art</p>	<p><i>Student Discipline Procedure</i></p> <ul style="list-style-type: none"> ▪ A finding of guilt or an acquittal in a criminal court shall not preclude proceedings under this Code in respect of the same incident, provided that in the case of an acquittal no such proceedings shall be taken on allegations considered and rejected in a criminal court. Any sentence or order pronounced by a criminal court shall be taken into account in the imposing of any penalty under this Code.

<p>Heriot Watt University</p>	<p><i>Bullying and Harassment Policy and Procedure for Students</i></p> <ul style="list-style-type: none"> ▪ If you have been physically assaulted, seek help immediately and report the incident to the police. <p><i>Rape and sexual Assault Counselling Page</i></p> <ul style="list-style-type: none"> ▪ Heriot-Watt University, in line with other Universities, has a duty to report any crime of which it learns to the police. This is particularly important when other students may be at risk. Therefore a member of the University staff cannot keep confidential information regarding rape and sexual assault unless they are working within a formal counselling or medical setting. The University will support any student wishing to make a report to the local police station. <p><i>Student Discipline Policy and Procedure</i></p> <ul style="list-style-type: none"> ▪ In the case of a criminal offence committed on or off the University premises, the involvement of the Police will not prevent the University from taking action or imposing its own penalties, where such action is deemed appropriate. The University may take any appropriate action before, during or after any Police investigation. A finding of guilt or acquittal in a criminal court shall not preclude the University from taking disciplinary action under the Procedures in respect of the same incident. ▪ The University may report to the police any allegation that a criminal offence has been committed. ▪ The University encourages any student who has been the victim of an alleged criminal offence whilst enrolled at the University to report this to the police, and, if relevant, to the University. ▪ Where alleged misconduct constitutes a criminal offence, the University may investigate or take disciplinary action whether or not the matter has been referred to the police and whether or not criminal proceedings have begun or been completed.
<p>Open University Scotland</p>	<p><i>Student Code for Dealing with Bullying and Harassment</i></p> <ul style="list-style-type: none"> ▪ Cases of alleged serious criminal offence, such as physical and sexual assault, must be immediately reported to the police. In such cases the University will take no action under this code (other than suspension, if considered necessary) until the outcome of any criminal investigation is known. <p><i>Code of Practice for Student Discipline</i></p> <ul style="list-style-type: none"> ▪ If a student is the subject of a police investigation, or if a criminal charge has been made against them, they may be suspended until the outcome of the investigation or trial. No action will be taken (other than suspension) under the code for an offence relating to the police investigation or charge until the outcome of the investigation or trial is known, at which time the University will decide whether or not disciplinary action should be taken under this code.
<p>Queen Margaret University</p>	<p><i>Anti-Bullying and Harassment Policy and Procedure for Students</i></p> <ul style="list-style-type: none"> ▪ Where behaviour has been alleged that would amount to a serious criminal offence, e.g. physical or sexual assault, this should be immediately reported to the police.

	<ul style="list-style-type: none"> ▪ In such cases, any resulting criminal proceedings would normally be expected to have been completed before the University will take action under this policy (although suspension via the Student Disciplinary Regulations may be considered appropriate, if necessary). <p><i>Student Discipline</i></p> <ul style="list-style-type: none"> ▪ If the principal regards the alleged offence as serious, no internal disciplinary action, other than suspension or exclusion from the University, will normally be taken until the matter has been reported to the police, and either a prosecution has been completed or a decision not to prosecute has been taken. ▪ The University has the right to report any alleged criminal offence to the police. However, if a person claims to be the victim of a serious offence committed by a student, but does not wish the police to be involved, the Principal may agree not to report the matter to the police. In such circumstances the University will not normally proceed with internal disciplinary measures for the serious offence, although it may take disciplinary action over other related offences.
Robert Gordon University	<p><i>Bullying and Harassment Policy – Staff and Student</i></p> <ul style="list-style-type: none"> ▪ Physical assaults will not be tolerated. If an employee/student is attacked, a complaint to the police may be appropriate. <p><i>Student Misconduct Procedure</i></p> <ul style="list-style-type: none"> ▪ Where such misconduct may also constitute a criminal offence and the police or other appropriate authority are involved, the University will decide whether disciplinary proceedings should be deferred pending possible criminal proceedings. However, the student may still be suspended pending the outcome of any proceedings.
Royal Conservatoire of Scotland	<p><i>Dignity at Work and Study Policy and Procedure</i></p> <ul style="list-style-type: none"> ▪ If the alleged unacceptable behaviour may also constitute a criminal offence the Support Contact will encourage the complainant to inform the appropriate authorities.
Scotland's Rural College	Not publically available
University of Aberdeen	<p><i>Code of Practice on Student Discipline</i></p> <ul style="list-style-type: none"> ▪ Where the misconduct is the subject of a police investigation and/or prosecution, the University retains the right to apply its own procedure concurrently or to await the outcome of any criminal proceedings before deciding whether or not to apply internal procedures. The University may report to the police any allegation of criminal misconduct if it believes that this will best serve the interests of the University community or the wider public interest.
University of Dundee	<p><i>Dignity at Work and Study</i></p> <ul style="list-style-type: none"> ▪ The University reserves the right to involve the police in the event that information relating to a possible criminal offence is brought to its attention.

	<p><i>Complaints Handling Procedure</i></p> <ul style="list-style-type: none"> ▪ Should any criminal activity be detected as a result of a complaints investigation, the University is required to bring this to the attention of the police. <p><i>Student Discipline</i></p> <ul style="list-style-type: none"> ▪ No action may be taken under this Ordinance unless the matter has been reported to the police and either prosecuted or a decision not to prosecute has been intimated to the University, at which time the Principal or other Authorised Officer may decide whether disciplinary action under this Ordinance should continue or be taken.
<p>University of Edinburgh</p>	<p><i>Guidelines for students: What to do if you have been sexually harassed or assaulted</i></p> <ul style="list-style-type: none"> ▪ It's always your choice, but you may decide to disclose details of the assault or harassment to the University. For example you may want the University to take action under its Code of Student Conduct. ▪ The University will not normally report an allegation of rape or sexual assault to the Police without your permission. However if the alleged perpetrator of the rape or assault is still at large and represents a continued threat to other members of the University community, it may be necessary for the University to breach confidentiality and report the assault to the Police. Any such decision would be taken by the University Secretary following discussion with you and based on legal advice if needed. <p><i>Guidelines for staff: What to do if a student tells you they have been sexually harassed or assaulted</i></p> <ul style="list-style-type: none"> ▪ Under the University's Dignity & Respect Policy, you are expected to raise serious concerns with the relevant member of University staff. In the case of rape or sexual assault, you should report the details to the University Secretary's Office as soon as possible. (You do not need the student's permission to disclose this information to relevant individuals elsewhere in the University, although it is good practice to let the student know that you will do so.) <p><i>Code of Student Conduct</i></p> <ul style="list-style-type: none"> ▪ The University may report to the police any allegation that a criminal offence has been committed. ▪ The University encourages any student who has been the victim of an alleged criminal offence to report this to the police, and, if relevant, to the University. ▪ Where alleged misconduct constitutes a criminal offence, the University may investigate or take disciplinary action whether or not the matter has been referred to the police and whether or not criminal proceedings have begun or been completed. ▪ The University may, at its discretion, suspend any internal investigation or disciplinary action on alleged criminal misconduct to await the outcome of any criminal proceedings.
<p>University of Glasgow</p>	<p><i>Code of Student Conduct</i></p> <ul style="list-style-type: none"> ▪ Allegations of violence or threatened violence (including sexual violence) by students should be dealt with under the Code of Student Conduct as should any other serious incident of misconduct.

	<ul style="list-style-type: none"> ▪ Where the University believes that a criminal offence may have been committed, either on campus or off campus, it may report the matter to the police. <p><i>Alleged Misconduct Offences that may also be Criminal Offences - Guidance for students wishing to report an allegation</i></p> <ul style="list-style-type: none"> ▪ The following is intended to advise students about how the University will deal with allegations of misconduct that might also be criminal offences. For example: Physical assault, Sexual misconduct, Abusive/threatening behaviour, Harassment, Hate crime. ▪ If you've been subjected to behaviour by another student that is unacceptable, you are encouraged to inform the University – even if the allegation might also be a criminal offence. ▪ We understand that it can be difficult to come forward, especially if you haven't yet decided what you want to do about it. Reporting it to the University doesn't mean you have to pursue the complaint – you can simply speak to us about your options, and get some advice. ▪ We'll never pressure you into choosing a particular course of action, and we won't contact the police without your consent. If you decide not to go to the police, or to take any further action through any route, that's your choice and we will respect it. We can still help you and give you advice. If you do go to the police, we can offer support in doing that. ▪ If you decide not to go to the police, we can investigate the allegations through the University's conduct process. We're more limited in what we can do, and we can't make a finding on criminal acts. We can't conduct the same investigations as the police/courts and can't compel witnesses to give evidence. However, we can apply conditions to the accused student (such as prohibiting them from contacting you, and suspending or expelling them in some cases). We can also take precautionary action while the investigation is ongoing. ▪ In some cases the University's powers of investigation are limited (for example, we cannot investigate sexual assaults as we do not have the power to do so) but we can ensure that you are kept safe on campus while police investigations are ongoing, so you should still report any such case to us.
<p>University of St Andrews</p>	<p><i>Harassment and Bullying at Work and Study - Policy and Procedure</i></p> <ul style="list-style-type: none"> ▪ Harassment may take the form of a criminal offence, such as physical assault, indecent exposure or rape. In such an event, the University will support the student or staff member, ensuring that they are given medical and emotional support as appropriate. Whilst they will advise the consideration of Police involvement where a criminal offence may have taken place, the decision of involvement must lie in the hands of the person making the complaint and qualified University personnel will facilitate and support the person in such an action. <p><i>Sexual Misconduct Policy</i></p> <ul style="list-style-type: none"> ▪ We will not report the incident/s to the Police without your permission, except in cases where there is reasonably believed to be a risk to others. ▪ We will implement our Risk Assessment protocol in the discharge of our Duty of Care. Following the conclusion of the criminal investigation and any resulting legal action, or where it has been decided (perhaps after discussion between you and the Police) that there is no criminal case to answer, the Risk Assessment may decide to refer the case for review under the University's Disciplinary code (Non-academic Misconduct Policy). This is a separate process and one which investigates breaches of the University's Code of Conduct. ▪ It is important to note that, should you decide that you do not wish to report an allegation of sexual misconduct to the Police, even when it would be reasonable to consider it criminal, our ability to proceed with an in-house disciplinary investigation depends on the behaviours

	<p>and circumstances of each case and so discipline may not be possible. The University will still, however, provide you with counselling and support.</p> <ul style="list-style-type: none"> ▪ Where criminal actions require investigation, the Police process will have to be allowed to continue, unimpeded by University authorities, until completion. However, in accordance with the University's Duty of Care, during the Police investigation, our Risk Assessment protocol will be used to ensure the safety and protection of all parties. At the conclusion of the external judicial process, the Risk Assessment will be reviewed and may recommend, as a separate procedure, that the University considers disciplinary action in relation to breaches of the University's Code of Discipline. ▪ If you bring forward evidence indicating that another member of our community could be a danger to other members, the University, in exercising its Duty of Care to others, reserves the right to take the case forward to the Police, even if you had originally thought you did not wish to proceed to the Police. ▪ The University recognises that it is not placed to undertake a criminal investigation. It will, however, cooperate fully with any associated Police investigation and subsequent legal proceedings. The University may also establish separate disciplinary proceedings where such measures are indicated by the behaviours and circumstances. The University will at no time undertake any investigations or actions which may confound any police investigation. In the event of Police investigation, University disciplinary proceedings will be placed on hold but the process of risk assessment may continue. <p><i>Non-Academic Misconduct Policy (Students)</i></p> <ul style="list-style-type: none"> ▪ In a case that involves actions that are potentially criminal in nature, the University will normally refer the matter to the Police in the first instance. The University reserves the right, however, to undertake a risk analysis or disciplinary action in advance of the resolution of criminal proceedings. ▪ Where a student has outstanding criminal proceedings, the University will carry out a Risk Assessment and initiate appropriate interim actions to mitigate any significant risks.
<p>University of Stirling</p>	<p><i>Sexual Misconduct Policy</i></p> <ul style="list-style-type: none"> ▪ You do not have to report an incident to the University or the Police, but if you choose to do so, we will ensure that you are supported throughout the process. It is entirely up to you what action you want to take if you have been affected; we just want to make sure you are clear about your options and are adequately supported throughout the process. ▪ We will not force you to involve the Police: that is your choice. <p><i>Code of Student Discipline</i></p> <ul style="list-style-type: none"> ▪ If the police are not yet able to, or do not proceed with criminal or other legal proceedings, the University may decide to undertake its own disciplinary action in relation to the matter. ▪ The University may be obliged to report a matter to the police where this is necessary in order to protect a student or other person from harm, or prevent a crime from taking place. In determining whether or not a matter should be reported to the police by the University, the University will take the views of the victim of the alleged offence into account.

University of Strathclyde	<p><i>Student Discipline</i></p> <ul style="list-style-type: none"> ▪ In cases where it is thought that a student may be involved in criminal conduct, the Chief Operating Officer or nominee, in consultation with the Principal and where deemed appropriate, will report the matter to the police. ▪ The University may proceed under student disciplinary procedures notwithstanding the instigation of any criminal proceedings. However, the University reserves the right to defer action pending any criminal investigation or prosecution.
University of the Highlands and Islands	<ul style="list-style-type: none"> ▪ The University operates as a collegiate federal partnership comprising of 13 independent further and higher education colleges, specialist colleges and research institutions. Each academic partnership college has its own student misconduct policy.
University of the West of Scotland	<p><i>Code of Discipline for Students</i></p> <ul style="list-style-type: none"> ▪ For a misconduct case which has also involved a criminal investigation by the police, once the due legal process has been completed, the Suspension Review Committee will decide whether disciplinary action under this Code should be taken in the interests of the well-being and discipline of the University community. ▪ Where a finding of misconduct is made under this Code and the student has also been sentenced by a criminal court in respect of the same facts, the court's penalty will be taken into consideration in determining the penalty under this Code.

* All information quoted directly from relevant policy and/or guideline

Table 3: Prevention, Workshops and Campaigns

University	Prevention, Workshops and Campaigns
Abertay University	<ul style="list-style-type: none"> ▪ After Party: Computer game highlighting the issue of consent, hyper-sexualisation and hyper-masculisation. Created in conjunction with the Women’s Rape and Sexual Abuse Centre Dundee and Angus (WRASAC) and the Rape and Sexual Abuse Centre Perth and Kinross (RASAC) (June 2016). ▪ Safe Taxi Scheme launched by Abertay University Students’ Association (2016). ▪ Fresher’s Week 2016: Student Services Team hosted consent workshops and distributed information about sex and consent. ▪ Externally, Abertay is part of a joint working group, tackling violence against women in the Dundee and is also working with Police Scotland to develop bystander-training workshops for students.
Edinburgh Napier University	No Visible Preventions/ Workshops/ Campaigns
Glasgow Caledonian University	<ul style="list-style-type: none"> ▪ Student-led training programme on preventing sexual assault launched in partnership with Rape Crisis Scotland and Glasgow University (2016). Initiated and led by respective Students’ Unions, incorporating multi-agency Strategy Group (incl. Police Scotland, Rape Crisis Scotland, campus security, Student Services). ▪ Safe Taxi Scheme (2015)
Glasgow School of Art	No Visible Preventions/ Workshops/ Campaigns
Heriot Watt University	<ul style="list-style-type: none"> ▪ Heriot-Watt University Students’ Union Women’s Group won Campaign of the Year Award for its work on Zero Tolerance to Sexual Harassment (2013). The campaign included free personal alarms, banning and covering up ‘lads’ mags’ on campus and a Reclaim the Night March.
Open University Scotland	No Visible Preventions/ Workshops/ Campaigns
Queen Margaret University	No Visible Preventions/ Workshops/ Campaigns

Robert Gordon University	<ul style="list-style-type: none"> ▪ Students' Association Safe Taxi Scheme.
Royal Conservatoire of Scotland	No Visible Preventions/ Workshops/ Campaigns
Scotland's Rural College	No Visible Preventions/ Workshops/ Campaigns
University of Aberdeen	<ul style="list-style-type: none"> ▪ Aberdeen University Students' Association <i>We Get it</i> Event (January 2017). The campaign revolves around pledges from students, staff and local businesses within the city building a community that say no to sexual harassment and bullying on campus.
University of Dundee	<ul style="list-style-type: none"> ▪ Fresher's week voluntary consent workshops (October 2016). As part of an effort to ensure the safety and security of students and in discussion with Police Scotland, Dundee University Student Services are discussing the possibility of mandatory consent classes for first years. ▪ Zero Tolerance to Sexual Harassment Policy in association with Dundee Students' Association (May 2016). ▪ Student Association Night Bus and Taxi Scheme.
University of Edinburgh	<ul style="list-style-type: none"> ▪ <i>No One Asks For It</i> Campaign (launched September 2016). An anti-sexual harassment campaign developed in partnership by Edinburgh University Students' Association, Edinburgh University Sports Union, and the University of Edinburgh. ▪ Edinburgh University Students' Association previously developed poster campaign and trained staff in how to respond to incidents of harassment, as well as a consent campaign with local third sector organisation Sexpression: Edinburgh. It became the first UK student union to ban Robin Thicke's controversial song 'Blurred Lines' and passed a motion declaring "EUSA is feminist" (2014).
University of Glasgow	<ul style="list-style-type: none"> ▪ Student-led training programme on preventing sexual assault launched in partnership with Rape Crisis Scotland and Glasgow Caledonian University (2016). It includes student-led sexual violence sessions covering topics such as consent, bystander intervention, and building a supportive community. ▪ Glasgow University Amnesty Campaign <i>Let's Talk</i> (2015). Online petition to Amend the University of Glasgow's Student Code of Conduct to include a clause prohibiting sexual violence on campus and detailing how to report the incident as a survivor, a bystander, and an assailant, among other interventions. ▪ Safe Taxi Scheme (2015)
University of St Andrews	<ul style="list-style-type: none"> ▪ <i>Stand Together Initiative</i> (2015). A collaborative project between the University and the Students' Association. It involves student led workshops and stresses a bystander intervention approach to the prevention of sexual misconduct. The workshops are not compulsory but students are strongly encouraged to attend. <i>The Got Consent?</i> Initiative is the first project under the banner of <i>Stand Together</i> and aims to raise awareness of sexual consent among St Andrews students and to prevent sexual assault and harassment.

University of Stirling	<ul style="list-style-type: none"> ▪ The University and the Students' Union have been working in partnership to develop a strategy aimed at preventing and tackling sexual violence and misconduct. This work has been overseen by a Strategic Coordination Group (2016) and launched formally in March 2017. ▪ Challenging Everyday Sexism Event (2014). A day of talks and workshops to raise awareness of sexual abuse and harassment. Interactive sessions were delivered by White Ribbon Scotland, Rape Crisis Scotland, Hollaback Edinburgh and the Women's Support Project. These provided advice about preventing violence and harassment. ▪ Safe Taxi Scheme.
University of Strathclyde	<ul style="list-style-type: none"> ▪ <i>Equally Safe in Higher Education Project (2016-2018)</i>. The project, funded by the Scottish Government, will develop a national Toolkit using Strathclyde as a pilot site, to challenge GBV across Scotland's University campuses. ESHE's Research Team works on generating new data on attitudes to and the extent of GBV and the project also develops awareness raising campaigns and GBV prevention education and training programmes for staff and students. ▪ <i>Making Education Equally Safe for All: Working with young people to prevent gender-based violence</i> This one day conference was part of the 16 Days of International Activism Against Gender-Based Violence Campaign. It raised awareness of the issue of gender-based violence and highlighted work being done to tackle this within or linked to the University of Strathclyde, as well as by partner agencies. ▪ Partnership with Glasgow Rape Crisis Centre (2016). ▪ Safe Taxi Scheme (2015) ▪ Student Association Campaign: #USSABreakTheSilence against sexual violence and sexual harassment (2014). ▪ Student Association student-led sexual consent workshops (2014).
University of the Highlands and Islands	<p>No Visible Preventions/ Workshops/ Campaigns</p>
University of the West of Scotland	<ul style="list-style-type: none"> ▪ <i>Standing Safe Campaign</i> (launched September 2016). A multifaceted, collaborative student-led initiative, supported by the University's Senior Management, the Dean of Students, Student Services, and SAUWS. An awareness raising campaign where students engage in a range of activities including workshops, focus groups and training, to raise awareness of sexual violence and the support available to prevent it. ▪ Student Association Standing Policy to ban 'Blurred Lines' by Robin Thicke from SAUWS Paisley/Ayr/Hamilton Union (2014).

Table 4: Student Association Policies

University	Student Association Policy
Abertay University	Zero Tolerance to Sexual Harassment Policy
Edinburgh Napier University	Not applicable/Not publically available
Glasgow Caledonian University	Not applicable/Not publically available
Glasgow School of Art	Not applicable/Not publically available
Heriot Watt University	Zero Tolerance to Sexual Harassment Policy. The first Union in Edinburgh and the third in Scotland to be awarded Zero Tolerance Accreditation from NUS.
Open University Scotland	Not applicable/Not publically available
Queen Margaret University	<i>Sports & Societies Code of Conduct</i> states violent, indecent, disorderly, threatening, abusive or offensive behaviour and language, as well as sexual harassment as constituting misconduct
Robert Gordon University	Not applicable/Not publically available
Royal Conservatoire of Scotland	Not applicable/Not publically available
Scotland's Rural College	Not applicable/Not publically available
University of Aberdeen	Zero Tolerance to Sexual Harassment Policy
University of Dundee	Zero Tolerance to Sexual Harassment, Discrimination, Bullying, Threatening or Intimidating Behaviour Policy. Also signed by the University.
University of Edinburgh	Zero Tolerance to Sexual Harassment Policy
University of Glasgow	Not applicable/Not publically available
University of St Andrews	Zero Tolerance to Sexual Harassment Policy.
University of Stirling	Accredited Zero Tolerance Union
University of Strathclyde	Accredited Zero Tolerance Union
University of the Highlands and Islands	Not applicable/Not publically available
University of the West of Scotland	Not applicable/Not publically available

Table 5: Intervention

University	Intervention
Abertay University	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Counselling Service references ‘sexual/physical/emotional abuse’ as a potential reason to contact counselling. ▪ Signposts to external specialist organisations on counselling resources. ▪ Abertay Students’ Association Support and Advice Pages make no reference to GBV, sexual harassment or violence.
Edinburgh Napier University	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Counselling (Student). ▪ Occupational Health and Employee Assistance Programme (Staff). ▪ Nightline. ▪ Signposts to external specialist organisations on University and Students’ Association webpage.
Glasgow Caledonian University	<ul style="list-style-type: none"> ▪ First Responders Scheme (launched October 2016). Staff and students can disclose any incidents of sexual and GBV to the First Responder team, which has been trained in supporting and advising victims in regards to potential next steps. The 13 mixed gender responders can be contacted by email, phone or in person, at any time. ▪ Nightline. ▪ Staff and Student Counselling. ▪ Student Well-being Adviser. ▪ A full webpage dedicated to ‘Preventing and Responding to Gender Based Violence.’ Signposts to external specialist organisations provided on counselling resources page.
Glasgow School of Art	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Network of Harassment Advisors who are trained to deal with disclosures of harassment. ▪ Staff and Student Counselling Service. ▪ No information or contact details for external, specialist organisations provided. ▪ No reference to GBV, sexual harassment or violence on University webpages.
Heriot Watt University	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ A webpage dedicated to ‘Rape and Sexual Assault’ on the University’s Counselling Website. It is ‘written from a woman’s perspective’ though notes the advice and suggestions are relevant to either gender. This page covers facts about rape and sexual assault, what to do after a rape or assault, health issues, reporting to the police, as well as links for more information and support. Signposts to external specialist organisations on counselling resources list. ▪ Student Counselling. ▪ Network of Harassment Advisors. They listen to what has happened, provide help and support, and explain the options, whether or not someone wishes to make a formal complaint, and can refer to external support groups and other professional bodies.
Open University Scotland	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Open University Student Association Help and Support. ▪ Nightline.

	<ul style="list-style-type: none"> Neither the Student Counselling Webpage or the Students' Association Advice or Support Webpages make reference to forms of GBV, sexual harassment or violence. No information or contact details for external, specialist organisations are provided.
Queen Margaret University	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> Staff and Student Counselling Service. Neither the Student Counselling Webpage or the Students' Association Advice or Support Webpages make reference to GBV, sexual harassment or violence. No information or contact details for external, specialist organisations are provided.
Robert Gordon University	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> Fair Treatment Advisers for Staff Members: HR staff who have been trained in the provision of advice and guidance to victims of bullying and harassment. Employee Support Helpline. Student Counselling Service. Student Well-Being Adviser. Nightline and Anonymous Email Service. Student-led peer to peer helpline that offers a non-judgmental, confidential and anonymous listening and support service to students outside of academic hours. Neither the Student Counselling Webpage or the Students' Association Advice or Support Webpages make reference to GBV, sexual harassment or violence. No information or contact details for external, specialist organisations are provided.
Royal Conservatoire of Scotland	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> Staff and Student Counselling Service. Neither the Counselling Webpage or the Students' Association Advice or Support Webpages make reference to GBV, sexual harassment or violence. No information or contact details for external, specialist organisations are provided.
Scotland's Rural College	<p>No specific support services for GBV on campus and no advice or information regarding student advice and/or counselling publicly available.</p>
University of Aberdeen	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> Network of Harassment Advisers. Signposts to external specialist organisations on counselling resources list. A full webpage dedicated to 'Violence against Women' on the Students' Association's Student Advice section. This page provides information on, and explicit definitions of, sexual assault, rape and domestic abuse. It provides links to the University counselling services and external, specialist support organisations. Student Association Advice Centre. Student and Staff Counselling Service. These webpages make no reference to GBV, sexual harassment or violence. No information or contact details for external, specialist organisations are provided.
University of Dundee	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> Network of Harassment Contacts. Staff and Student Counselling Service. Students' Association Advice and Support. Neither the Student Counselling Webpage or the Students' Association Advice or Support Webpages make reference to GBV, sexual harassment or violence. No information or contact details for external, specialist organisations are provided.

University of Edinburgh	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ A webpage dedicated to ‘Sexual Harassment and Sexual Assault’ on the University’s Website. It provides a guideline for students about ‘what to do’, covering themes such as immediate safety and support, what the University will do, confidentiality, links for more information and support, and crisis and emergency contacts. ▪ Signposts to external specialist organisations on counselling resources list. ▪ Dignity and Respect Advisors. Volunteers trained to work with staff who feel they have been subject to, or have been accused of bullying, harassment, or discrimination. ▪ Staff and Student Counselling. ▪ The Students’ Association Advice Place. ▪ Student Association Third Party Crime Reporting.
University of Glasgow	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Harassment Volunteer Network. ▪ A webpage dedicated to ‘Sexual Assault and Support Resources’ on the University and Student Representative Council Websites. It provides contact information for external specialist support organisations and counselling services. No information stating the University’s role or responsibilities. ▪ Signposts to external specialist organisations on counselling resources list. ▪ Staff and Student Counselling Service.
University of St Andrews	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Webpages dedicated to ‘Sexual Misconduct’ on the University’s Website. These provide advice and resources and set out clearly the University’s role and responsibilities. ▪ Signposts to external specialist organisations on counselling resources list. ▪ Harassment Contacts. ▪ Student Nightline. ▪ Student Advice. ▪ Student Services, including Student Counselling. ▪ Occupational Health (Staff). ▪ University Police Liaison Officer.
University of Stirling	<ul style="list-style-type: none"> ▪ Student Services partnership with Forth Valley Rape Crisis to offer a new support service to those affected by sexual violence. A rape crisis support worker is available on campus every Monday from 2.00pm - 5.00pm (2016). ▪ Two ‘Responding to incidences of sexual violence’ training sessions for staff, led by professionals trained in responding to sexual violence incidents. ▪ Anti-Bullying and Harassment Contacts. ▪ Student Counselling. ▪ Student Association Support. ▪ Signposts to external specialist organisations on counselling resources list.

University of Strathclyde	<ul style="list-style-type: none"> ▪ Partnership with Glasgow Rape Crisis Centre (2016). ▪ Dignity and Respect Advisers. ▪ Staff Counselling and Employee Assistance Programme. ▪ Student Counselling. ▪ Nightline. ▪ Student Association Advice Hub. ▪ Neither the Student Counselling Webpage nor the Students' Association Advice Hub Webpages make reference to GBV, sexual harassment or violence, with the exception of Women's Aid and Domestic Violence. Information and contact details for external, specialist organisations provided only on ESHE webpage.
University of the Highlands and Islands	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Online Counselling Service. Makes reference to emotional, physical, or sexual abuse. ▪ Signposts to external specialist organisations on counselling resources list, only for Women's Aid and Abused Men in Scotland.
University of the West of Scotland	<p>No specific support services for GBV on campus</p> <ul style="list-style-type: none"> ▪ Counselling Service. ▪ Signposts to external specialist organisations on counselling resources list for Abuse, Domestic Violence, Gender, Forced Marriage, Rape and Sexual Assault. ▪ Students' Association Caseworkers. ▪ Students' Association 'Personal Issues and Hate Crime' webpage refers to Domestic Violence. No other forms of GBV are referenced.

Table 6: Freedom of Information Requests (2016) How many students reported to the University that they have been sexually assaulted or raped, 2012-2015

University	2012-2015
Abertay University	No information provided
Edinburgh Napier University	<5. Providing exact numbers may put those involved at risk of being identified.
Glasgow Caledonian University	No information provided
Glasgow School of Art	No information provided
Heriot Watt University	No information provided
Open University Scotland	No information provided
Queen Margaret University	No information provided
Robert Gordon University	No information provided
Royal Conservatoire of Scotland	No information provided
Scotland's Rural College	No information provided
University of Aberdeen	2012: 0, 2013: 0, 2014: 0, 2015: 0

University of Dundee	Not available
University of Edinburgh	2012: 2 sexual assault, 2013: 0, 2014: 0, 2015: 0
University of Glasgow	8 cases of sexual assault, and 5 cases of rape
University of St Andrews	There have been 28 reports of 'sexual misconduct' recorded by Student Services in terms of the University's Sexual Misconduct policy. It is highlighted that this figure does not represent police reports or criminal convictions rather they are incidents, some historical, raised with Student Services where staff in a counselling capacity, provided support along with advice to the individual involved. The majority of these cases also did not occur on University property. The term 'sexual misconduct' has been used as the University cannot verify whether any behaviour amounted to sexual assault, rape or attempted rape which is a matter for the Police and Criminal Courts to determine.
University of Stirling	2012: 0, 2013: 3, 2014: 1, 2015: 2
University of Strathclyde	No information provided
University of the Highlands and Islands	No information provided
University of the West of Scotland	2012: 0, 2013: 0 , 2014: 0 , 2015: 0

Source: www.whatdotheyknow.com/request/315372/response/778417/attach/html/3/ResponseV1.0.pdf.html

Table 7: *Guardian* Investigation: Scotland figures for Staff-on-Student and Staff-on-Staff Sexual Harassment Claims for UK Universities, 2011/12 - 2016/2017

University	Staff-On-Student Harassment				Staff-On-Staff Harassment				Notes
	Allegations 2011-12 to date	Investigations Total	Has Relationship Policy	Staff that Left/Changed Jobs	Allegations 2011-12 to date	Investigations Total	Staff that Left/Changed Jobs		
Abertay University	0		Yes	1	2	2	0		
Edinburgh Napier University	<5	<5	No	0	0				
Glasgow Caledonian University	0		No		0				
Heriot Watt University	1	1	General	Not given	0				
Queen Margaret University	0		No		0				
Robert Gordon University	0		No		0				
University of Aberdeen	2	2	Yes	1	2	2	0		
University of Dundee	0		Yes		0				
University of Edinburgh	9	9	General		2	2	5	Staff leaving covers both staff-on-student & staff-on-staff cases	
University of Glasgow	3	1	No		2	2			
University of St Andrews	2		Yes		1	Not given		At least 2 students made a complaint against a staff member	
University of Stirling	0		No		0				

Source: www.theguardian.com/education/ng-interactive/2017/mar/05/sexual-harassment-allegations-find-figures-uk-universities

APPENDIX FOUR - CASE STUDIES

Intervention, Prevention and Policy Development

Case Study A: *Equally Safe in Higher Education*, University of Strathclyde

Equally Safe in Higher Education aims to eradicate GBV in Higher Education. The two-year project, funded by the Scottish Government, will develop a national Toolkit using Strathclyde as a pilot site, to challenge GBV across Scotland's University campuses. Addressing themes identified in *Equally Safe*, the Scottish Government's strategy for preventing and eradicating VaWG, ESHE's Research Team works on generating new data on attitudes to and extent of GBV within Scottish Higher Education Institutions. ESHE also develops awareness raising campaigns and GBV prevention, education and training programmes for staff and students. The project will produce a freely available national Toolkit for HEIs. It takes a partnership approach and implements the *Equally Safe* national policy across four work-streams:

- Prevention;
- Early Intervention;
- Corporate Policy, Campus Safety and Staff Development;
- Curriculum Development and Knowledge Exchange.

ESHE has recently announced a partnership with Rape Crisis Glasgow to help promote student safety and support victims of sexual assault. The charity will be training teaching staff, who may be the first point of contact for victims of sexual assault and holding student workshops.

Case Study B: *Let's Talk* Initiative, Glasgow University, Glasgow Caledonian University and Rape Crisis Scotland.

Glasgow and Glasgow Caledonian Universities have trained up their fresher's helpers to give support and advice to survivors of sexual assault. *The Let's Talk* initiative is a joint project between the two Universities, along with Rape Crisis Scotland and Police Scotland. The initiative is the outcome of a student-led campaign, though is part of a wider initiative led jointly by academics, students and staff from both Universities who are working together to develop a cross-University strategy towards tackling GBV.

Campaigns and Prevention

Case Study C: *Standing Safe*, University of the West of Scotland

Launched on the 14th of September 2016, *Standing Safe* is a multifaceted, multi-platform, collaborative student-led initiative, supported by the University's Senior Management, the Dean of Students, Student Services, SAUWS and Student Ambassadors. It is developing a proactive approach to help students learn about and prevent the root causes of sexual violence, and covers:

- Focus groups (facilitated by Rape Crisis Lanarkshire);
- Specialist training of student volunteers by Rape Crisis (Lanarkshire and Southwest), to enable them to lead workshops;
- Workshops (focusing on consent and bystander intervention- designed with Rape Crisis (L&SW) and in consultation with NHS GBV Prevention and Health Promotion units);
- Social Events organised by SAUWS throughout the academic year;
- Art projects (currently applying for the Leverhulme Grant for a resident Artist);
- Collaborative projects with Glasgow Women's Library;
- Work to ensure that our University's policy is updated to include specific guidelines for the support of victims of sexual violence on campus;
- External evaluation of our initiative after the first year (funding is required for this);
- Mini-conferences and film screenings.

Case Study D: *No One Asks For It* Campaign, University of Edinburgh

'No One Asks For It' has been developed in partnership by Edinburgh University Students' Association, Edinburgh University Sports Union, and the University of Edinburgh to challenge sexual harassment and violence on campus.

***No One Asks For It* aims to:**

- Inform and educate students and staff about sexual harassment and violence;
- Make students and staff aware that anyone can be subject to sexual harassment, regardless of their gender, sexuality, race, religion, or disability;
- Encourage everyone to take action against sexual harassment, by standing up to perpetrators and challenging inappropriate behaviour;
- Contribute to an environment which is supportive of survivors and in which sexual harassment is never tolerated.

Policy and Guidelines

Case Study E: Summary of *Sexual Misconduct Policy*, St Andrews University

- **Context:** The University regards as unacceptable any form of sexual misconduct. This policy applies to all students of the University.
- **Duty of care:** If a member of the University has been the victim of sexual misconduct, the University will take reasonable steps to ensure their physical safety and facilitate their access to appropriate specialist support, while respecting their feelings and decisions.
- **Risk assessment:** In all cases of reported sexual misconduct, the University will discharge its duty of care by entering into a process of formal Risk Assessment to reduce the risk of future harm. This will consider the potential risks to the individual, their peers and the organisation. This process is separate from disciplinary action.
- **Disciplinary action:** The University recognises that it is not placed to undertake a criminal investigation. It will, however, cooperate fully with any associated Police investigation and subsequent legal proceedings. The University may also establish separate disciplinary proceedings.
- **Unacceptable behaviours:** Sexual Misconduct covers a broad range of inappropriate, unwanted, behaviour. From the most severe forms of sexual violence including rape and sexual assault, it also extends to unwanted touching, stalking, abusive or degrading remarks and across the vast range of inappropriate behaviour in between.
- **Procedures:** Where disciplinary procedures are invoked, they will follow the process laid out in the University's non-academic misconduct policy.
- **Criminal Offences:** The University will not normally report an incident of sexual misconduct to the police without the complainant's permission. However, in reference to the University's Duty of care, on occasion it may be required to notify the Police of behaviour/areas of concern especially where there is believed to be a risk to others.
- **Confidentiality:** The University recognises the importance of privacy in cases where sexual misconduct is alleged. Confidentiality will be maintained as far as possible unless otherwise agreed; however, there may be circumstances – e.g. danger of physical assault – that mean the University will require to disclose certain information to additional University personnel or to third parties on a 'need to know' basis: this is consistent with meeting our Duty of Care obligation.

Guidance for victims of sexual misconduct includes information on:

- What you can expect from us.
- What we'll do.
- Looking after your safety.
- Looking after your physical health.
- Supporting your emotional wellbeing.
- Reporting to the Police.
- The University's duty to protect and support.

Case Study F: Sexual Harassment and Assault Guidelines for Students and Staff, University of Edinburgh:

Guidelines for students: What to do if you have been sexually harassed or assaulted.

Context: The University will not tolerate sexual abuse within the University community and is committed to supporting students who experience sexual abuse and to taking the appropriate action regarding those who commit it. These guidelines are intended as a starting point for you to think about the support you need and how to access it. Sexual abuse may take many forms. In addition to rape and sexual assault, it includes sexual harassment, i.e. any behaviour that is humiliating, intimidating or hostile, and may include actions like derogatory name calling, belittling remarks, insults, threats, unwanted personal attention. If you have experienced sexual abuse, you can expect the University to support you by:

- Listening to you.
- Treating you sensitively and with respect.
- Respecting confidentiality.
- Providing or signposting further support that you may need.
- Taking further action (for example disciplinary action) if this is appropriate.

Guidelines for staff: What to do if a student tells you they have been sexually harassed or assaulted.

Context: Support for students who have experienced sexual abuse is a specialist matter and it is not expected that non-specialist staff provide this sort of support. However a student who has experienced sexual abuse or harassment may decide to disclose it to any member of staff. These short guidelines have been created to assist staff who may need to have such a conversation and refer the student on for more specialist support elsewhere.

Both staff and student guidelines include information on:

1. Are you/Is the student safe?
2. Immediate support.
3. Being accompanied.
4. Referral.
5. Record keeping.
6. What about confidentiality?
7. Reporting.
1. 8. Support for you.

APPENDIX FIVE - GENDER-BASED VIOLENCE: SPECIALISED ORGANISATIONS IN SCOTLAND

Organisation	Contact details	Service provided
Amina	www.mwrc.org.uk 0808 801 0301	Helpline for Scotland providing support to women from minority backgrounds who have been affected by violence against women. Support is available in English, Urdu, Arabic, Bangla and Swahili. Service also runs a VAW awareness programme <ul style="list-style-type: none"> ▪ Helpline Open: Mon-Fri - 10am – 4pm
Childline	www.childline.org.uk 0800 1111	National helpline providing support to children under 19 on wide range of issues. <ul style="list-style-type: none"> ▪ 24-hour helpline ▪ Chat online 1-2-1 with a counsellor (24/7) ▪ Email a counsellor (response within a day) ▪ Message Boards
Hemat Gryffe Women's Aid	www.hematgryffe.org.uk 0141 353 0859	Provide information, support and refuge accommodation to women, children and young people from Asian, Black and Minority Ethnic Groups in Scotland. <ul style="list-style-type: none"> ▪ 24 hour emergency service line.
Men's Advice Line	www.mensadvice.org.uk 08/08 801 0327	Confidential helpline for any man experiencing domestic violence and abuse from a partner (or ex-partner). <ul style="list-style-type: none"> ▪ Helpline open Mon-Fri 9am-5pm ▪ Voicemail available – aim to contact within 2 working days
National Domestic Abuse & Forced Marriage Helpline Scotland	www.natdomesticabuseforcedmarriagehelpline.org.uk 0800 027 1234	Scotland's National helpline service supporting anyone with experience of domestic abuse or forced marriage, as well as their family members, friends, colleagues and professionals who support them. <ul style="list-style-type: none"> ▪ Helplines open 24/7 ▪ Email support (response within 2 days)
National LGBT Domestic Abuse Helpline	www.galop.org.uk/domesticabuse 0800 999 5428	<ul style="list-style-type: none"> ▪ National helpline providing emotional and practical support for LGBT people experiencing domestic abuse. An online chat service is available two days a week ▪ Helpline open: Mon-Thu - 10am-5pm; Fri - 1pm-5pm; Sun - 12pm-4pm ▪ Online Chat: 3pm-7pm Sat & Sun
National Violence Against Women Partnership Network	http://www.improvementservice.org.uk/tackling-violence-against-women.html	The National VAW Network brings together Scottish VAW Partnership Lead Officers and other key stakeholders including the Scottish Government and CoSLA to implement Equally Safe at a local level.
NSPCC	www.nspcc.org.uk 0808 800 5000	Helpline for adults to get advice or share their concerns about a child. <ul style="list-style-type: none"> ▪ Helpline open 24/7 ▪ Online reporting available
Rape Crisis Scotland National Helpline	http://www.rapecrisisscotland.org.uk/ 08088 01 03 02 if you are deaf or hard of hearing on minicom number 0141 353 3091	National helpline <ul style="list-style-type: none"> ▪ Phone free ▪ Open daily 6pm – midnight ▪ Website provides contact details for local Rape Crisis Centres in Scotland
Refuge	www.refuge.org.uk	Provide safe refuge accommodation to women, children and young people who are experiencing domestic abuse.

		<ul style="list-style-type: none"> Contact via National Domestic Violence Helpline
roshni	www.roshni.org.uk 0808 802 2222	Addressing issues and providing support for minority ethnic communities across Scotland. Tackling Forced Marriage Unit provides access to support for victims and potential victims of forced marriage. <ul style="list-style-type: none"> Helpline open: Mon-Fri – 9am-5pm
Say Women	www.say-women.co.uk 0141 552 5803	Voluntary organisation offering safe, supported accommodation and related services for women, aged 16-25 years, who are survivors of childhood sexual abuse, rape or sexual assault and who are homeless or threatened with homelessness. <ul style="list-style-type: none"> Offer information about the issues Online referral available
Scottish Women’s Aid	www.scottishwomensaid.org.uk 0131 226 6606	Contact details for Scottish local Women’s Aid Offices, training and resources
Scottish Women’s Rights Centre	www.scottishwomensrightscentre.org.uk 08088 010 789	A free legal advice and information service available for women aged 16+ who have been affected by gender-based violence offering safe, women only spaces. <ul style="list-style-type: none"> Helpline hours: Tues – 6-9pm; Weds – 1.30-4.30pm Telephone support Legal surgeries (appointment only)
Shakti	www.shaktiedinburgh.co.uk 0131 475 2399	Provide support for black minority ethnic (BME) women, children and young people who are experiencing, or who have experienced, domestic abuse. Provide support in Arabic, Hindi, Mandarin, Polish, Portuguese, Punjabi, Spanish, Swahili and Urdu <ul style="list-style-type: none"> Online referral form , telephone
Stop It Now!	www.stopitnow.org.uk 0808 1000 900	Charity supporting adults to prevent child sexual abuse. Freephone confidential Helpline hours: Mon-Thu – 9am-9pm; Fri – 9am-5pm. <ul style="list-style-type: none"> Telephone Support Email support Online resources
Victim Support	www.victimsupport.org.uk 0808 168 9111	Providing support to anyone affected by crime (regardless of whether it has been reported to the police). Helpline hours: Mon-Fri – 8pm-8am; Sat & Sun 24hrs <ul style="list-style-type: none"> Online Support Telephone , face to face for local Victim Support
Women’s Support Project	www.womenssupportproject.co.uk 0141 418 8420	Feminist voluntary organisation working to raise awareness of the extent, causes and effect of male violence against women, and for improved services for those affected by violence.
Young Women’s Centre	0141 276 1874	Offers support to young women (between 12-18 years) who are at risk of sexual exploitation, abuse or escalation through the judicial system. Telephone support is available Mon-Fri – 8.45am-4.45pm <ul style="list-style-type: none"> Drop in for current clients only, telephone support, face to face

APPENDIX SIX - SCOTTISH RAPE CRISIS CENTRE LEADS (MANAGERS/COORDINATORS)

Rape Crisis Grampian

Wilma Thomson (Mon To Thurs)
01224 590 932
manager@rasane.org.uk

Argyll & Bute RCC

Job Share: Nicola Hall And Elizabeth Thomson
01369 700 800
nicola@ab-rc.org.uk | elizabeth@ab-rc.org.uk

Dundee WRASAC

Sinead Daly
01382 205 556
sinead.daly@wrasac.org.uk

East Ayrshire – Kilmarnock RCRC

Liz Curran
01563 541 769
liz.curran@rapecounsellingandresourcecentre.co.uk

Edinburgh RCC

Caroline Burrell
0131 557 6737
caroline.burrell@ercc.scot

Fife – FRASAC

Jan Swan
01592 642 336
frasac6@hotmail.com

Forth Valley RCC

Megan Johnson
01786 439 244
megan.johnson@forthvalleyrapecrisis.org.uk

Glasgow RCC

Isabelle Kerr (Your Glasgow Contact)
0141552 3201
isabelle@rapecrisiscentre-glasgow.co.uk

Lanarkshire RCC

Anne McGuire
01698 527 006
anne@lanrcc.org.uk

Perth & Kinross RC&SAC

Jen Stewart
01738 626 290
jen@rasacpk.org.uk

Highland - RASASH

Moira Paton
01463 257 657
moira@rasash.org.uk

Scottish Borders – SBRCC

Susie Stein
01896 661 070
susie@sbrcc.org.uk

Western Isles RCC

Angela Campbell
01851 709965
angela@wircc.org.uk



INSTITUTIONAL RESPONSES TO GENDER-BASED VIOLENCE: Report of a Scottish Higher Education Review

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