Gender-Based Violence Policy: Staff and Students

Published Version	1.1 Acknowledges the new University Compliance Officer role and the Report and Support Response Team, including the development of the First Responder Network and terms used in related guidance.
Owner (Directorates)	University Compliance Officer, with: • Student Experience • The Equality and Diversity Office • Human Resources • Safety, Health & Wellbeing
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Approval	This Policy was approved by University Court on 1 March 2022, Combined Joint Negotiation and Consultative Committee on 23 February 2022, Staff Committee on 3 February 2022, Senate on 26 January 2022, and prior to that Education Strategy Committee on 22 December 2021 and the Equality, Diversity and Inclusion Committee on 10 November 2021. It delivers the principals and procedures communicated in the Safe360° Safeguarding Framework Proposal that was endorsed by Executive Team in March 2019.
Publication Date	March 2022
Review Date	This policy will be reviewed within the first year of publication and annually thereafter or following any safeguarding incident of actual or suspected abuse perpetrated between our staff, volunteers and beneficiaries. The Equally Safe at Strathclyde Group will take forward the annual review process. Procedures and Guidance are reviewed on an ongoing basis and revised as updates or developments are needed. Following revision of the Policy, highlights of changes will be communicated in newsletters.
Communication of Policy	• Policy and guidance are published on University Safe360° web pages and Corporate Comms outputs • Linked through the Strath App • Promoted through campaigns and partnership activity with Strath Union and external partners • Updates will be shared in newsletters • Tailored briefings • Operational Guidance

Contents

Section 1: Introduction

1.1   What is Gender-based Violence?

Gender based violence (GBV) is a major equality and human rights issue and it has a profound and damaging impact upon individuals and communities. We use the Scottish Government's definition of gender-based violence, which is based on the United Nations Declaration on the Elimination of Violence Against Women.

> *'Gender based violence is a function of gender inequality, and 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.'*

We strive to deliver the Vision of Equally Safe, Scotland's Strategy for preventing and eradicating violence against women and girls for a strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from all forms of violence and abuse – and the attitudes that help perpetuate it. Our work to address GBV is informed by the Equally Safe in Higher Education Toolkit, 2018.

GBV includes a broad spectrum of violence and abuse committed primarily, but not exclusively, against women, by men. Actions listed below include those that result in physical, sexual, and psychological harm of the recipient or the violation of their dignity and can include (but are not limited to) the following **gender-based violence offences:**

- Physical, sexual, and psychological violence (incl. rape and sexual assault, coercive control etc)

- Unwanted sexual or gender-based physical, verbal, written, digital conduct or threat which has the purpose or effect of violating the dignity, safety, or health of an individual.

- Discrimination, broadly defined as treating someone less favourably on the grounds of their gender.

- Bullying behaviour, harassment or conduct related to a relevant protected characteristic with the purpose or effect to violate a person's dignity likely to intimidate, harm, control or diminish another person, physically or mentally. This may include creating an intimidating, hostile, degrading, humiliating or offensive environment for a person within the personal, professional, and public environment.

Our aim at Strathclyde is for every member of the University community to feel safe, secure, and supported. We promote gender equality and do not tolerate any form of gender-based violence (GBV) or abusive behaviour. We promote consent and do not stand for rape culture, nor do we perpetuate a culture which reinforces misogynistic attitudes and harmful behaviours.

Actions, such as those listed above and below, constitute gender-based violence offences, are a breach to this policy and are illegal. This list is not exhaustive:

- objectification
- unwanted touching or kissing
- sexual insults and unwanted comments
- sexual misconduct
- rape
- sexual assault
- sexual bullying, harassment, or intimidation, including online
- verbal abuse
- relationship abuse
- coercive control
- domestic abuse
- child sexual abuse
- physical and emotional abuse
- Upskirting
- grooming
- intimidation

- outing
- sexual exploitation
- commercial sexual exploitation
- slavery, trafficking, and exploitation
- online abuse
- image-based abuse
- Sharing of intimate images or film
- stalking
- abuse of trust
- violence of impact
- honour-based violence
- female genital mutilation (FGM)
- forced marriage
- dowry related violence
- stalking
- murder

In the case of behaviours likely to cause or result in harm, abuse, or neglect of a person(s), we work with Police Scotland and other public agencies to support a safe, lawful, and respectful University Community.

See also Appendix 1: GBV Offences and Harmful Behaviours

1.2 Scope / Purpose

The purpose of this policy is to understand and tackle GBV within our University and to provide a supportive environment where we hope any person can feel confident to share any incident of GBV, whether it be an initial disclosure, to share a concern or to submit a report of an incident. Abuse thrives in silence; we want to tackle that and provide a safe environment for anyone to report GBV.

Here, we communicate the attitudes and standards of behaviour expected by all members of the University Community and set out in law and communicated through our Strathclyde Community Commitment for a safe and respectful University community and culture, and together, we all play our part in driving the change that is needed in society more generally.

This policy advises on what to do if you need to report GBV personally, or if you receive

- a disclosure of harm
- an allegation of abuse
- you have a concern that a person is at risk, see or suspect abuse (no disclosure)

We use the term **reporter** to describe a person who reports an incident, a disclosure, or a concern.

We use the term **reported** to describe a person who is accused of causing harm or who is considered a cause for concern. Where a person at risk discloses or discusses potential abuse or harm, the staff member or volunteer should be able to:

- Recognise signs of GBV
- Respond sensitively
- Report using Report and Support
- Signpost support

1.3   Trauma-sensitive, compassionate, caring, and non-judgemental

At any time, any member of the University Community may be a first point of contact for a person reporting GBV. We are committed to understanding trauma and trauma-informed practice to ensure a responsive and supportive environment for the disclosure of GBV by any member of the University Community.

Our support services are compassionate and non-judgemental, and we commit to support anyone experiencing GBV (including historical or non-recent sexual offences), anyone sharing a concern on behalf of someone, or who has a complaint to make about the conduct of others. We recognise that supportive relationships matter to build trust and empower individuals if a person feels comfortable sharing information, to think together about what might help and signpost the right support.

1.4   Our Vision and Aims of this Policy

- This policy communicates the attitudes and standards of behaviour expected by all members of the University Community and set out in law.

- Collectively, we (the University) take a zero-tolerance approach to all forms of gender-based violence, and the attitudes and behaviours which support them to ensure a safe learning and working environment which embraces equality, consent, and mutual respect.

- We aim to build a culture of awareness and understanding to help you feel informed to know what to do if you are a first point of contact for a person reporting GBV.

- We are committed to ensuring a compassionate, supportive, and non-judgemental culture, for those seeking to disclose of GBV, incidents or concerns of harm, abuse, or misconduct.

- Clear and transparent processes enable reporting. We respect the choice of a Reporter to proceed with their disclosure at a pace and in a way that they feel comfortable with.

- We believe that no one should suffer alone or in silence, and we recognise that the impact of GBV can be profound and always unique to the individual, it can be recent or historic and we provide dedicated support, discrete and without cost to help identify a way forward.

- All University staff are alert to the Policy and trained appropriately for their roles. Our network of First Responders is trained to support a sensitive, robust, and effective response to reported cases of GBV compassionately, with discretion, and without judgement.

- Information and support are widely signposted, and we work with Strath Union to deliver targeted campaigns and to receive feedback.

- We work with partners and to create a supportive and informed network and to ensure that our approach to tackling GBV is continually improving and responsive to wider policy and practice.

- To deliver the Policy, the University harnesses expertise from within the University, across Sectors and with local, national, and international perspective so that we can stay alert to diverse perspectives and the cultural or intersectional factors of GBV.

- We apply a case review approach to reflect on our processes.

1.5 Absolute Accountability

This policy supports fundamental human rights and enforces the expectation that no harm should be done to any member of our university community including beneficiaries of our programmes or students and staff undertaking activity with, or on behalf of the University, or caused by any member of our university community.

It relates to all aspects of gender-based violence. There is no place here for bullying or discrimination, including through text messages, emails, and social media posts. This includes complicity, retaliation, malicious and vexatious reporting. Further examples of the types of behaviour that constitute a violation of this Policy are set out in Appendix 1.

This policy applies to all members of the University community across our physical, digital, and global campus, including:

- University Court and Senate Members, Trustees, Executive Team Representatives.

- All members of staff including those with full-time, part-time, and sessional contracts, honorary staff, and staff from other institutions or organisations on placement, or working on a visiting basis at the University.

- University students and staff on, and off campus (including exchange, apprentice, work-based and placement learning, clinical, educational, legal settings etc.) regardless of their mode of study and irrespective of whether a matter arises during term time or academic holiday periods.

- Visitors, including adults and children using the University's premises.

- Individuals working or acting on the University's behalf including students undertaking paid or volunteer roles, suppliers of goods and services, and those who represent the University regardless of the nature or term of their contract or secondment, or location.

- Contractors and volunteers working at, or on behalf of the University.

1.6   Bills and legislation

We will always act in accordance with our university values and adhere to the law that provides the highest protection and underpins this policy, including:

- Human Rights Act (1988)
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill as passed 2021.
- Domestic Abuse (Scotland) Act 2018
- Children and Young People Scotland Act 2014
- 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
- Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011
- Victims and Witnesses (Scotland) Act 2014
- Anti-social Behaviour, Crime and Policing Act 2014
- Human Trafficking and Exploitation (Scotland) Act 2015
- Data Protection legislation
- Abusive Behaviour and Sexual Harm (Scotland) Act 2016

1.7   Related University Policies and Procedures

The following related Policies and Procedures which should be read alongside this Policy.

- Strathclyde Community Commitment
- Safe360°™ Safeguarding Policy
- Child Safeguarding Policy
- Student Discipline Procedure: Non-Academic Misconduct
- Staff Disciplinary Procedure
- Applying with a criminal conviction
- Protecting Vulnerable Groups and Disclosure Checks Policy
- Complaints Procedure
- Policy on Children Accessing University of Strathclyde IT Systems
- Guidance and Support for LGBT+ Students and Staff

- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Staff Personal Relationships Policy
- Safety, Health and Wellbeing Risk Management
- Data Protection policy
- Student Guidance on the Use of Social Media and Virtual Learning Environments
- Guidance on Use of Social Media (Staff)
- Grievance Procedure (Staff)

1.8   Working with others to tackle GBV

We recognise that relationships are key. Through partnership, we aim to prevent gender-based violence in all its forms through joint strategic and operational actions, tackle violence

and deliver human rights. We work with Strath Union, expert organisations such as Rape Crisis, Emily Test, LGBT+ Youth Scotland, Fearless Glasgow and other sector, local authority, and charity partners to understand and address the multifarious dynamics of GBV. Onward referral to expert support agencies ensures that reporters of GBV receive timely, appropriate and specialist support and help.

We are a member of the Fearless Glasgow and the Emily Test Charter Community.

We work with Rape Crisis Scotland to deliver training for staff and students to develop our shared understanding of gender-based violence and inform discussions around healthy relationships, consent, sex and the law, the University of Strathclyde. Rape Crisis Scotland also support our First Responder and Active Bystander approach so that we can learn how to recognise and challenge gender-based violence.

1.9 Interaction between equality characteristics

Gender-based violence can be experienced by anyone. We recognise the intersectional factors of GBV, how equality characteristics interact, affect a person's experience of GBV, access to support and outcomes. We acknowledge that everyone has their own unique experiences of discrimination and oppression, and we must consider everything and anything that can marginalise people – sex/gender, age, disability (including mental health or physical illness) race, nationality, ethnic origin or perceived ethnic origin, sexual orientation, gender reassignment, transgender identity, maternity, pregnancy, marital status, religion, or belief.

Certain types of violence have a disproportionate effect on women and girls who are at greatest risk. This results from gender inequality in wider society. Whilst GBV is experienced mostly by women and perpetrated mainly by men, many men and boys are victims of violence and abuse, and prevailing societal views of masculinity can make it difficult for males to identify themselves as victims of abuse and can prevent them from seeking help.

GBV can occur in any relationship, within professional, family, community, or institutional settings and regardless of background, economic status, age, disability, ethnicity, faith, sex, gender, gender assignment, marital status or sexual orientation, nationality, or economic status. Women, people with disabilities, LGBT+ people and children are disproportionately affected by GBV which in some cases can compound vulnerability and intersect with forms of discrimination, harassment, or bullying.

GBV can cause severe and long-lasting physical and mental health problems. We are striving to develop our understanding of intersectional issues, and the impact on gender inequality and marginalised women. We are alert to violence against disabled women, risks relating to sex work, the LGBT+ community, black and minority ethnic women which is informed and exacerbated by other forms of oppression. These can include financial hardship, caring responsibilities, reduced participation in the workforce, addiction, or social isolation, which leaves individuals ever more vulnerable to violence.

Through the continual review of this policy and procedures we consider how protected characteristics interact and assess the impact of how those equalities and privileges interact, to affect their experiences of seeking support.

We refer to:

- Scottish Government's Equally Safe Strategy: draft Equality Impact Assessment (EQIA) here

- Scottish Government's Equally Safe Strategy: draft Children's Rights and Wellbeing Impact Assessment (CRWIA) here

- University of Strathclyde Equality Impact Assessment framework here

- Our Dignity and Respect Policy addresses discrimination, harassment, or bullying.

Section 2: Addressing Culture and Behaviour

2.1 Governance and leadership

At Strathclyde, our first priority is the safety, health and wellbeing of our University community. The University has implemented the Strathclyde Safe360° our holistic safeguarding framework. Unacceptable behaviour has no place at Strathclyde, and we will not tolerate any form of GBV, discrimination, harassment, victimisation, or bullying. Safe360° means incorporating safety in every area of university life.

University Court is responsible for overall Governance and leadership of Safe360°. A Court representative has a specific remit for safeguarding and provides counsel and challenge to a new University Safeguarding Committee. An important aspect of this work is the cessation of non-disclosure agreements.

The University of Strathclyde was the first higher education institution to sign a pledge undertaking that non-disclosure agreements (NDAs) will never be used in cases of sexual misconduct. The Let's Disclose It pledge, developed by Strathclyde's students' association, StrathUnion, in consultation with the University supports our efforts to prevent sexual harassment and violence, improve support for survivors, and bring greater transparency to reporting of incidents.

2.2 Responsibilities

➔ The **University Compliance Officer (USCO)** is the Lead for the overall Safe360°Safeguarding Framework, the Safeguarding Committee and is responsible for the application of the procedures associated with this Policy.

➔ **Approval of this Policy and procedures** is authorised by the Equality, Diversity and Inclusion Committee, Education Strategy Committee, Staff Committee, Safeguarding Committee, Court, and Senate.

➔ The **Director of Student Experience** is responsible for the day-to-day management of the GBV Policy and implementation of related procedures and support for matters relating to students.

➔ The **Director of Human Resources** is responsible for the procedures relating to disclosures, allegations or reports involving staff, including support sought by staff.

➔ The Report and Support Response Team are a very small team of staff from Student Experience, HR, Safety, Health, and Wellbeing who consider reports submitted.

➔ The **First Responder Network** of key contacts trained to support disclosures of GBV, provide information on reporting options and signpost support relating to a GBV incident for any member of the University community.

➔ **Strathclyde expects partner organisations** of the University to have their own safeguarding policies and child protection reporting procedures in place but Strathclyde

University representatives should never be complacent. University staff must always demonstrate leadership in checking for, and applying, safeguarding processes.

2.3 Position of Trust: Our expectations upon the University Community

Anyone who comes within the Scope of this Policy is considered by the University to be a person in a position of trust. A position of trust is someone who looks after you for example, in a school, a care home or, in this case, a university, even if their role does not specifically require a PVG. The law sets out that it is illegal for a person in a position of trust, aged 18 years or older (an adult), to engage in a sexual activity with, or directed at a person who is under 18. It is also against the law for an adult to engage in sexual activity with someone who is aged 16 or 17 if the older person is in a position of trust.

Further information is provided in the University's Child Safeguarding Policy.

Report misconduct

We encourage anyone who experiences or sees GBV or any sort of harm, misconduct, or has a concern that someone in a position of trust is putting a person at risk, has caused harm, or is behaving inappropriately, <u>do not ignore it. Speak up.</u>

Report your concern using <u>Report and Support</u> (this can be done anonymously) or contact the First Responder Network in the first instance.

2.4 Consent and Sexual misconduct

This section clarifies our understanding of consent and makes clear the University's expectations in relation to safe and respectful intimate behaviour.

Consent is defined as 'free agreement'. Where some form of coercion, violence or threat is used, this means there has been no consent given. Consent, in simple terms, is deciding whether you want to do something or not. When it comes to sex and relationships, consent is non-negotiable. Consent applies to both the physical and digital domains.

In addition to this definition, <u>The Sexual Offences (Scotland) Act 2009</u> provides a list of situations where consent could not be given:

- Where the victim is incapable of consenting because of the effect of alcohol or any other substance.
- Where the victim is asleep or unconscious.
- Where the victim agrees or submits to the conduct because of violence or threats of violence used against them, or any other person.

Note: Other situations may occur that are not on this list. This does not imply that consent is given.

The age of consent in Scotland is 16. This means that 16 is the age that the law considers a person old enough to say yes to having sex with someone else whether they are straight, lesbian, gay or bisexual. In Scotland, sexual intercourse with a child under the age of 13 is rape.

Sex includes any sexual act, including oral sex. Sex does not have to involve a penis. Sexual assault is sexually touching someone without their consent.

A person must have capacity to provide consent

Having the capacity to give consent is important. If the victim has any mental illness; personality disorder; or learning disability, however caused, or manifested, this must be acknowledged. Anyone is incapable of consenting to conduct if through their mental disorder they are unable to do one or more of the following:

- Understand what the conduct is.
- Decide whether to engage in the conduct (or as to whether the conduct should take place) or not.
- Communicate any such decision.

We recognise that Consent must be:

- **Willing** - Consent is freely given. It is not the result of pestering, wearing someone down or making someone feel like they 'owe' something. Someone should never try to persuade, pressure, deceive or encourage another person into doing things they do not want to do. This is not consent. A person cannot gain consent by using threat, manipulation, violence, or abuse of power.

- **Coherent** – If a person is drunk, high, or asleep, they cannot consent to sexual activity. If you're not sure, you do not have consent. Alcohol or drugs can impair a person's ability to make decisions, so the law says they cannot consent to sex. Sex without consent is rape. No-one should take advantage of someone who is under the influence or who cannot or does not give consent. No one should give someone alcohol or drugs without their consent.

- **Communicated** - People use both verbal and non-verbal cues (body language) to indicate consent. Saying 'yes' is one way of giving consent, but people can give it or take it away in other ways too. Even if someone doesn't say 'no' or 'stop' verbally, they may be communicating this with their bodies or actions. The absence of 'no', is not a 'yes'. Silence without actions demonstrating permission, cannot be assumed to show consent.

- **Ongoing** – If someone consents to one form of sexual activity, it does not mean they consent to another. A person may do something one time but decide they do not want to do it again. Consent to conduct may be withdrawn at any time. This can be before or during the conduct.

  Consent is needed every time persons engage in sexual activity, this means a clear, knowing, and voluntary consent to any sexual activity whether they are with someone they have just met or in a relationship. If someone changes their mind and no longer gives consent this must be respected straight away, even if it makes the other person feel

disappointed, hurt, or frustrated. If the conduct takes place or continues to take place after consent has been withdrawn, it does so without consent.

2.5 Sharing of intimate images or film

The sharing of intimate images or film affects all age groups, including under 18s. For this reason, we refer to the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Section 2 which states that it is illegal to disclose or threaten to disclose intimate, nude or explicit photographs or film.

Sharing an intimate image of someone without their consent is a form of sexual violence. Even if you chose to share the image with the person, whether self-generated, or they have given you money for the image, it is still a crime for them to share it without permission and can result in a prison sentence.

In Scotland, the age of consent is 16. It is against the law to share nude or explicit images of someone under the age of 18, even if the picture is of yourself, except in cases where all the following apply:
- The young person depicted in the image is at least 16
- The two parties were partners in an established relationship
- The young person consented to the image being taken / made / in the other's possession
- Any sharing was only with each other.

2.6 Addressing Rape Culture

We work together with Strath Union and Strathclyde Sport to challenge everyday behaviours that create a world where GBV, sexual misconduct, victim blaming and rape is made acceptable by normalising harmful attitudes and behaviours, and through downplaying. We call this "rape culture".

'Rape culture is pervasive. It's embedded in the way we think, speak, and move in the world. While the contexts may differ, rape culture is always rooted in patriarchal beliefs, power, and control.

Rape culture is the social environment that allows sexual violence to be normalized and justified, fuelled by the persistent gender inequalities and attitudes about gender and sexuality. Naming it is the first step to dismantling rape culture.

Every day we have the opportunity to examine our behaviours and beliefs for biases that permit rape culture to continue. From the attitudes we have about gender identities to the policies we support in our communities; we can all take action against rape culture'.

UN Women: 16 ways you can stand against rape culture

2.7 Developing an Active Bystander Culture

We work together to develop a culture that enables anyone to report concerns and to monitor safeguarding protocol to identify and address any gaps or weaknesses. This Policy appeals to every member of the University community to contribute to an active bystander culture and

this policy and procedure is intended to support anyone to make an intervention or report a concern on behalf of a person they feel to be at risk, or something they witness, such as harmful behaviour.

Section 3: Risk assessment helps us safeguard

Safeguarding should be intentionally 'designed into' the planning stage through active risk assessment that considers the needs and vulnerabilities of those this policy represents.

Risk assessment is an intrinsic part of the safeguarding process. It is used to assess and manage potential risk of abuse or neglect that might harm a person's wellbeing, in a similar way to how we consider health and safety, so that the specific needs of children and vulnerable groups are considered in University activity. The following are incorporated within the wider Risk Management Framework and its supporting toolkit.

Preventative Safeguarding considerations and mitigations for the risks identified are incorporated within the wider risk assessment, contracts and grants processes:

- ✓ Everyone is clear about their responsibilities in relation to safeguarding within each unique operational context; has access to, and complies with this policy and procedures.

- ✓ We identify a single point of contact who supports the risk assessment process from start to finish, and who liaises with a counterpart at the partner organisation to ensure that safeguarding measures appropriate to the activity are in place.

- ✓ We request to see the partner organisation's safeguarding policy and procedures.

- ✓ Identify and manage risk associated with public interaction to ensure vulnerable groups are safe.

- ✓ Clarify whether under 18s or vulnerable groups will be undertaking activity or attending events and ensure that specific considerations are outlined in the risk assessment.

- ✓ We incorporate specific guidance relating to gender-based violence within the Equality Impact Assessment and Risk Assessment processes

- ✓ We know who to contact in the University for advice.

- ✓ Safer recruitment requirements are articulated so that all staff and volunteers have appropriate training and appropriate checks before activity commences.

- ✓ At the point of induction, a safe and respectful behaviour code is promoted, and all participants understand the ground rules for engagement.

- ✓ Report and Support, the public reporting tool, is promoted and the process through which to report a concern is communicated from the outset and made continually accessible.

- ✓ Equality Impact Assessment and Risk Assessment explores any barriers to a person's ability to raise concerns, receive early help or rapid response.

- ✓ Digital safeguarding: Online activity is risk-assessed in addition to ~~physical~~ risks.

✓ Appropriate supervision is assessed and ensured for both physical and digital activity.

✓ Registers of activity that takes place off campus, may also be held centrally.

✓ We promote **Strathclyde's Children and Young People's Charter** at point of induction to activity so that under 18s are aware of their rights and know how to report.

We use risk assessment to make informed decisions. The University reserves the right to refuse to recruit an employee or to admit a child, adult at-risk or protected adult to a programme or course of study, or other university managed activities, if it judges that any risk-based adaptations necessary to safeguard that individual's wellbeing go beyond what is possible, reasonable or proportionate.

A suite of guidance supplements this policy to provide detailed information to support operational teams in their application of safeguarding practices and when undertaking their everyday roles. This enables a thorough grounding and context for how we design safeguarding into every aspect of University activity.

Section 4: Reporting Procedure

4.1 How to Report a safeguarding concern

This section gives guidance on what to do if you have a concern a person is at risk. It may be:

- a disclosure of harm
- an allegation of abuse
- you have a concern that a person is at risk, see or suspect abuse (no disclosure)

We use the term **Reporter** to describe a person who reports an incident, a disclosure, or a concern.

We use the term **Reported** to describe a person who is accused of causing harm or is considered a cause for concern. Where a person at risk discloses or discusses potential abuse or harm, the staff member or volunteer should be able to:

➔ **Call 999, if there is an emergency and a person is in immediate harm**

➔ **Contact University Security**

➔ **Report using the Report and Support online reporting form**

Anyone can use our online Report and Support to share information about something that has happened to you, that you have witnessed, or you have concerns about another person at risk of harm, or causing harm.

We have a network of over 20 First Responders who are trained by Rape Crisis to support anyone disclosing Gender Based Violence (GBV). A First Responder will sure you are safe, they will listen without judgement, support you, and signpost to additional services, within the University and can help you to connect with expert organisations.

What is a disclosure?
A Reporter might want to tell someone about something that has happened to them, or something they are concerned about, but do not wish for action to be taken.

What is a report?
A report is the first formal step in raising an incident with the University or the police.

There is always the option to report anonymously, although it means, without a contact, the Report and Support Response Team cannot always provide support. If we know about it, we can provide support, and address harmful behaviours.

The Report and Support Response Team (RSRT), manage Report and Support, 9am-5pm weekdays. Out of hours, after 5pm, during weekends and holiday periods, the Security team is available 24 hours a day and is supported by the Heads of Service on-call system.

If there is an immediate safety concern, get in touch with University Security Services on 3333 or 2222 (emergency use only) for help in contacting Emergency Services. In case of an emergency outside of the university premises, you should dial 999.

If you're off campus or calling from a mobile, please call the team on:
+44 (0)141 548 3333
+44 (0)141 548 2222 (emergency use only)
We recommend you add these numbers to your mobile as you never know when you'll need them.

If you are not able to complete the Report and Support online form at the time, record the disclosure, observed incident or concern clearly and factually as soon as possible and upload to the Report and Support system as soon as possible, and within 24 hours.

How to respond sensitively

If you are the trusted person to whom a person discloses, make yourself available. Never stop them speaking freely or cause them to wait because this may be the only time they are ready, or able to disclose. This guide may assist: Helping Students in Distress: A guide for Staff.

Ensure the immediate safety of the person(s). **If not in immediate danger, is there a threat for the person?**
- Do they feel safe right now?
- What do they need from you at this moment?
- Do they require immediate medical assistance?
- Is there a threat or danger for the person? It may be immediate or anticipated later, perhaps when they return home, or on the route home?
- Are vulnerable adults or children involved?
- Is a pregnant ~~woman /~~ person at risk of harm?

Stay calm, listen, and show that you understand and **show empathy to the person disclosing.**
- Do not react strongly, show shock or disapproval
- Do not ask leading questions. You may wish to repeat back what you have heard.
- Do not make promises you cannot keep
- Do not judge or investigate
- Do not jump to conclusions, criticise, confront or contact the alleged perpetrator
- Be aware that your own feelings may differ from the reporter

Clarify with the Reporter that information shared with you will be treated with discretion, but you cannot promise absolute confidentiality. You cannot be bound to secrecy. Details giving rise to concerns or suspicions of abuse will only be shared with the Report and Support Response Team to make decisions about next steps and identify the right support for the individual.

See Section 4.4: Confidentiality and Information Sharing.

There may be reluctance to disclose because the Reporter:
- May be unsure that what they are experiencing is abuse
- May be fearful that they will not be believed
- Be bound to secrecy by the abuser

- Dependent on the abuser (e.g. financial, emotional or housing)
- Worried about what will happen next
- Feel guilt, loyalty, pain, embarrassment, shame, compliance
- Perceive that others are too busy or do not see them as important
- Be anxious in case anyone else finds out
- Peer on peer abuse may be a factor. A child or young person may have harmed by another child or is at risk. They may have committed an offence against or be involved in an offence against a child or young person. Equally a student/staff member may have harmed another student/staff member or is at risk of doing so or has committed an offence against or related to a student/staff member.

Maintain discretion: Never disclose or discuss any safeguarding incident or case that you are involved in, except with the Lead assigned by the Report and Support Response Team. It is not our job to investigate or to judge, and staff must uphold the privacy rights and respect for all parties involved. Never gossip or share.

Take care of yourself: If you are supporting, or have witnessed a safeguarding incident. Or if you are responding to a safeguarding concern, including supporting a person who chooses to disclose to a safeguarding issue, these can raise difficult, traumatic or triggering feelings for you. The University can provide supervision for staff through Human Resources or support for students through Student Experience should wish you to discuss your feelings and response at a later stage.

Confidentiality applies as per Section 4.4 Confidentiality and Information Sharing.

4.2 Safeguarding Reporting Procedure

Online report is made via Report & Support

Disclosure made to staff, liaison with First Responder or Safeguarding Lead

Report & Support signposted, with option of staff assistance to complete a report or submission of report by staff member

1. Reports received and triaged by **Report & Support Response Team (RSRT)**. Assessed to establish immediate action needed, including protection of at-risk groups and Child Protection. **RSRT** may contact statutory agencies in an emergency or criminal incident.

2. **RSRT** contacts the reporter. Risk Assessment and mitigations are undertaken to consider the safety and wellbeing of all involved parties.

3. **RSRT** will advise the University Incident Management Team if there is a significant risk to the wider community and / or the University.

At all stages of the process, continual assessment of support and risk mitigation is considered. **RSRT** signpost support, or refer to support services

Police involvement and / or referral to external agencies

Report is pursued under relevant University policy and procedure

If no further action is requested, **RSRT** will assess the report for significant risk and mitigations.

RSRT will escalate if risk of serious harm, or risk to life.

RSRT assess for patterns or connected cases.

Person reporting requests no formal action to be taken.

Informal response or mitigations are considered with **RSRT**.

University investigation and discipline process may still be pursued during criminal proceedings

RSRT refers the case for formal University investigation with risk assessment and mitigation

University investigation undertaken

Further action

Police involvement and / or referral to external agencies

Relevant University procedures are pursued
- Dignity and Respect Policy
- Student Disciplinary Policies
- Staff Discipline Policy
- Staff Grievance Policy
- Staff / Service Provider Complaints Procedure

No further action by the University.

RSRT undertake operational case review meeting with response offered to involved parties.

What happens after an incident is reported?

When an incident is reported through Report and Support, the Report and Support Response Team, the operational group looking at all reported 'Report and Support' incidents, makes a judgement as to whether a reported incident(s) hit a trigger. For example, that may be the case in instances of serious assault where there are several incidents within a short time window or same place on campus, and may be escalated to the University Incident Response Team.

Hitting the trigger

- ✓ If there is something that hits a trigger, the Director of Student Experience and Director of HR are alerted, alongside USCO as the lead of the Incident Management Team, and the Risk and Resilience Team.

- ✓ At this stage, an Incident Response Team (the level below Incident Management Team) would be convened to assess the situation, impact on University business, reputation, wider support of the student and staff community, and to liaise with person/their family, outside agencies, communications etc.

- ✓ The membership of the Incident Response Team is diverse and tailored to respond to the anticipated types of incidents.

This is set out in the Incident Response Plan Flowchart and may be further escalated to the Incident Management Team, as necessary. The University's Emergency Response and Business Continuity Management Policy is supported by specific strategic plans for known emergency situations.

Emergency information is located on the university Safety, Health and Wellbeing pages here.

4.3 Relevant University Procedures Pursued

The following diagram shows the procedure that will apply depending on whether the Reporter or Reported party is a student, a member of University Staff or a Service Provider. Police will be called in any incident involving members of the public.
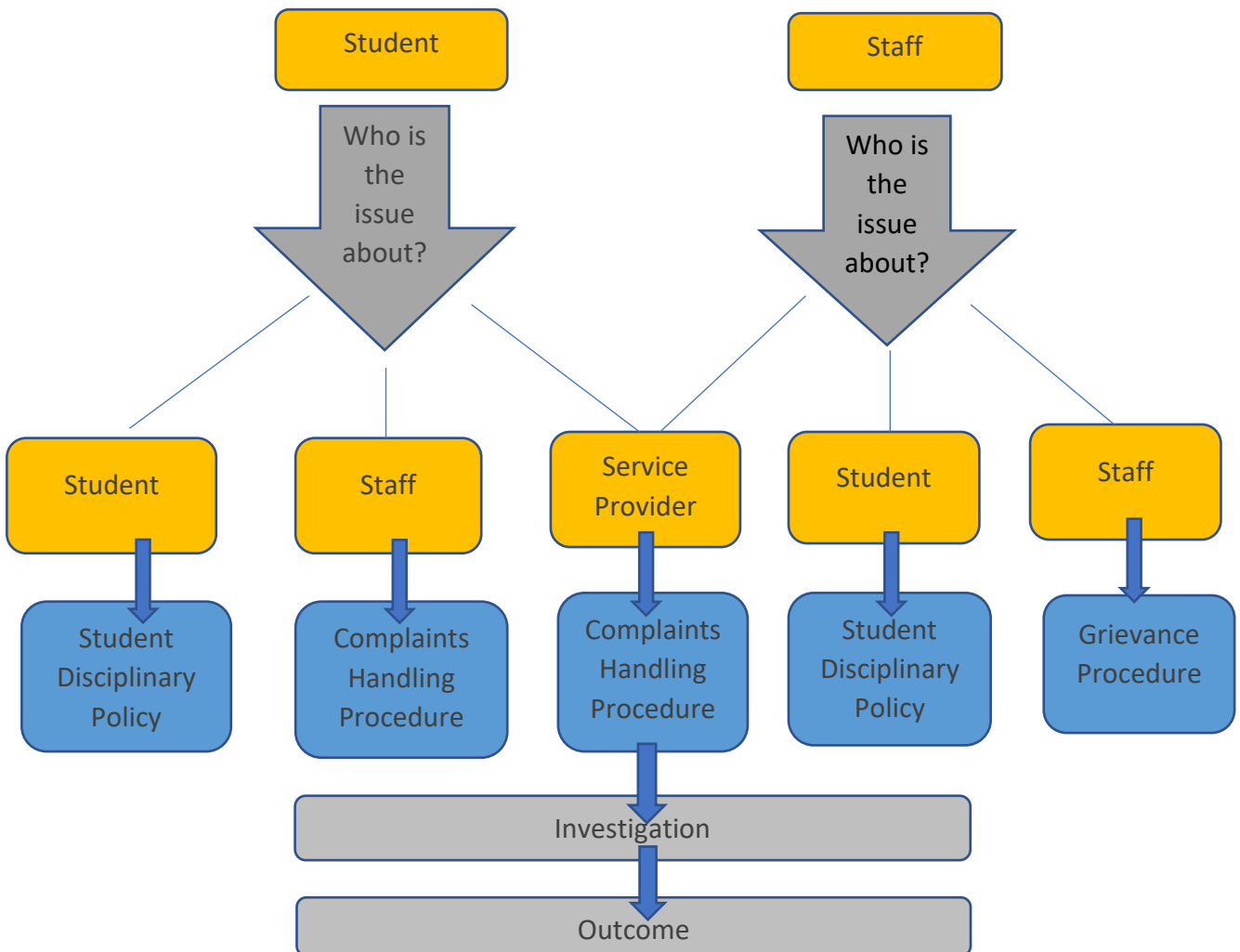
The University will use discretion to identify the most appropriate route for dealing with the concern, based on the circumstances of the situation, or if there are overlapping procedures in relation to a similar matter. For example, if a student and staff member are the subject of the same complaint, it may be appropriate to deal with the matter under a number of procedures, or to deal with the matter under one single procedure, or a hybrid of procedures.

Where a service provider or third party raises a complaint against a staff member or a student, a fact find may take place to establish whether the matter should proceed under the student disciplinary procedure or the staff disciplinary procedure or any other procedure/policy as appropriate.

Persons raising complaints should be aware that the details of any staff or student disciplinary procedures are confidential. It may therefore not be possible to fully advise on the outcome of any investigation to the complaint.

4.4 Confidentiality and information sharing

Disclosures of Safeguarding concerns or personal information provided to Report and Support are shared with the Report and Support Response Team. This is a very limited group of university staff who assess how best the University can respond to, and take any necessary actions, to investigate incidents and/or provide appropriate support, including the role of external agencies in line with national adult and Child Protection, policy, and legislation.

Information reported is securely stored and accessible only to the Report and Support Response Team who will assess and support next steps. On a case-by-case basis, a member of staff will usually contact the person reporting to discuss what can be done. Where possible, consent will be sought before sharing information, making referrals, or contacting anyone on a Reporter/Reported person's behalf. However, where there is risk of significant harm, risk to life or if there are serious safety and wellbeing concerns, or concerns about the professional conduct of a member of staff raised by a report, we may need to take urgent action without asking for consent first. This may include contacting Emergency or Wellbeing Contacts or external agencies for assistance. Generally, we will not treat a report as a complaint unless instructed to do so by the reporter.

We will not share a student's report with their department without their agreement, unless there are safety concerns.

The Privacy Notice for Report and Support (pdf) can be accessed here and via the Report and Support webpage.

When we process personal data about identifiable individuals we must do so in compliance with The principles | ICO . Under the legislation individuals have a number of rights regarding their personal data.

4.5 Record Keeping

Report and Support records or supporting information relating to a report, which may include sensitive information about individuals, are kept electronically and stored safely within the Report & Support system for 6 years.

The Report and Support Response Team review incident reports. Anonymised data collected from Report and Support reports is collated by the Student Conduct and Support Team. We monitor activity, look for patterns, learn from case management and improve our approach to safeguarding. This allows for evaluation and informs decision making, and resource allocation.

Appendix 1: GBV Harmful Behaviours

Gender-based violence can affect children, young people and adults and can occur in diverse settings. Everyone deserves to have their personal boundaries respected. Actions which fall within this definition include those that result in physical, sexual, and psychological harm of the recipient or the violation of their dignity and can include (but are not limited) the following **gender-based violence offences:**

- **Physical, sexual and psychological violence** (incl. rape and sexual assault, coercive control etc)

- **Unwanted sexual or gender-based physical, verbal, written, digital conduct or threat** which has the purpose or effect of violating the dignity, safety, or health of an individual.

- **Bullying behaviour, harassment or conduct related to a protected characteristic** with the purpose or effect to violate a person's dignity likely to intimidate, harm, control or diminish another person, physically or mentally. This may include creating an intimidating, hostile, degrading, humiliating or offensive environment for a person within the personal, professional, and public environment.

- **Sexual bullying or harassment**, for example:
  - unwanted sexual comments
  - using words that refer to a person's sexuality as an insult
  - using sexual words that make someone feel bad
  - making sexual jokes or threats e.g., rape jokes or sexual innuendo
  - gossiping about someone's sex life verbally, written or through social media
  - unwanted physical contact, such as brushing up against someone, groping, grabbing, pulling at clothing
  - asking someone to send nudes or sending them unwanted sexual pictures
  - showing someone sexual pictures or videos without their consent
  - online harassment like inappropriate sexual or threatening comments on social media

- **Sexual insults** – for example, telling a sexist, homophobic or transphobic joke, cat calling, objectification, shouting sexual 'compliments' at someone. Sexist and homophobic behaviours will not be tolerated. They send the message that it is acceptable but can make people feel unsafe and / or threatened. If people think these behaviours are acceptable, it can lead to more dangerous behaviour. Sexual insults are also considered to be bullying and harassment.

- **Sharing of intimate images or film**

- **Intimidation** – implied threats or acts that cause fear of harm in another.

- **Outing** - the act of disclosing a person's sexual orientation or gender identity without that person's consent, or before they are ready to tell their own story. We take this to include disclosing information about those who engage in sex work.

- **Stalking** – repeated, unwanted, or obsessive attention, or any other course of conduct directed at a person causing them to fear for their safety or the safety of others. This could include:
  - Following someone
  - Hanging around nearby e.g., at their home or at work
  - Turning up to someone's house uninvited
  - Learning someone's routine to regularly bump into them
  - Monitoring or watching them
  - Sending unwanted gifts or messages
  - Persistent calls or texts or online harassment

- **Unwanted touching or kissing**

- **Relationship Abuse, Domestic Abuse and Coercive Control** - The University recognises the vulnerability of individuals - and their dependants - reflected under the [Domestic Abuse (Scotland) Act 2018](#); ground-breaking legislation that criminalises psychological domestic abuse and coercive and controlling behaviour that is used by one partner to gain or maintain power and control over another intimate partner. This can include verbal, physical, sexual, emotional, economic, or psychological abuse, coercive control or threats of actions that negatively impact upon a person and/or dependent(s):

  - Sexual violence can also happen within relationships. People can feel coerced or threatened to perform sexual acts that they do not want to. This is forcing someone to participate in sex against their will and can happen in any relationship between people of any gender or sexual orientation. Threats can be obvious, or they can be subtler. Someone may agree to participate in a sexual act because they want to avoid their partner's anger or prevent them sulking or threatening to end the relationship.

  - Relationship abuse can include calling someone names, blaming them for abuse, threatening to share personal information, watching everything they do, checking phones / social media or threatening harm to them or someone / something they love.

- **Child sexual abuse** involves any sexual activity with a child under 16 years of age by an adult (someone over 18). It is most often carried out by a person who is well known to the child, often within the family or in another position of trust. Children and young people can also be abused through sexual exploitation.

- **Sexual exploitation** is where someone seeks or requires sexual activity in exchange for something a person needs, such as money, drugs / alcohol, protection, a place to stay, a sense of belonging. People can be groomed or persuaded into sexual activity and might not realise it is happening. The perpetrator usually has power over the person, perhaps due to their gender, age, strength, intelligence, money, or possessions. Perceived consent does not mean this is not sexual abuse. This can happen online or in person. Threats, intimidation, or violence can be used.

- **Upskirting** is the act of taking a photograph of underneath a person's skirt without their consent, typically with the intention of viewing their genitals or buttocks. Upskirting is an offence. No-one is allowed to take a sexual picture of you by putting a camera up your skirt. Regardless of location, e.g., on public transport or in a busy club, it is against the law.

- **Grooming** – as defined by the NSPCC – is when someone builds a relationship, trust and emotional connection with a child or young person so that they can manipulate, exploit and abuse them. It is most often an adult grooming a child or young person. However, this can happen to adults too. One aspect of grooming is that people can be manipulated into thinking they are in a loving and consensual relationship. But when that person lies to you or leads you to believe things about them that are not true, this is an abuse of power and trust.

- **Commercial Sexual Exploitation** – including selling sex, pornography, disclosing private sexual images without consent, so-called 'revenge pornography', sextortion and indecent images of children.

- **Slavery, Trafficking and Exploitation** - Human trafficking is defined in the Human Trafficking and Exploitation (Scotland) Act 2015 as the recruitment, transportation, or transfer, harbouring or receiving or exchange or transfer of control of another person for the purposes of exploiting them. The arrangement and facilitation of these actions also constitutes an offence. This offence does not always require coercive means such as threats or intimidation to be present and it is irrelevant whether the victim 'consented' to any part of the action. It also does not require the victim to have been moved.

- **Female genital mutilation (FGM)** is when all or part of the external female genitals is removed. This is usually done for cultural reasons or beliefs, and often when females are young.

- **Forced marriage** is a marriage between two people where one, or both, do not consent to the marriage, and where pressure or abuse is used to force the person, usually the woman, to go through with the marriage. This is different to arranged marriages, which are a cultural practice that involves the couple consenting to their marriage being arranged for them.

- **Dowry related violence** including expectations upon the bride and her family to provide property, gifts, money or personal demands.

- **So-called Honour-based crimes** involve physical, emotional, psychological, financial and sexual abuse, including murder, committed by perpetrators seeking to defend the reputation of their family or community.

- **Historical or non-recent sexual offences**: The significant passage of time does not prevent the effective prosecution of sexual offences and charges.

- **Violence of Impact** - Within the academic environment, it is common for academic staff to seek to actively build impact and public engagement into their research agendas, to disseminate research findings and engage discussion. People may receive abuse via, and because of these platforms. This may be referred to as Violence of impact. Where there are threats upon any member of the University community, the University works with statutory agencies to protect them against such acts as set out above in the course of their work, whether occurring in public or private life, or within the physical or digital environment.