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Overview

This briefing provides a summary of relevant work undertaken by the UK higher education sector to address violence against women, sexual misconduct and other related forms of violence and harassment. It highlights a range of key recommendations that have emerged from this work, and relates them to the specific legislative context in Wales.

The legislative context

Equality Act 2010

UK higher education institutions (HEIs) have specific safeguarding duties under the [Equality Act 2010](#). Specifically, the Public Sector Equality Duty requires HEIs to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 (sub-section 149).

More information on the [Equality Act](#) and the [public sector equality duty](#) (including the specific duties for Wales), is available on our website.

Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

The [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#) is the key piece of legislation relevant to violence against women, sexual misconduct and harassment in Wales. The purpose of the Act is to improve:

- Arrangements for the prevention of gender-based violence, domestic abuse and sexual violence;
- Arrangements for the protection of victims of gender-based violence, domestic abuse and sexual violence;
- Support for people affected by gender-based violence, domestic abuse and sexual violence.

It sets out a range of duties, including a duty on the Welsh Ministers to prepare, publish and review a national strategy and a duty on local authorities and Health Boards to prepare local strategies. The Act requires that Welsh Ministers appoint a National Advisor for Violence against Women, Domestic Abuse and Sexual Violence.

The Act also states that the Higher Education Funding Council for Wales (HEFCW) may issue guidance to the governing bodies of HEIs 'on how the bodies may contribute to the pursuit of the purpose of this Act'. At the time of writing, HEFCW has not exercised this power.

Other relevant Welsh legislation includes the [Wellbeing of Future Generations \(Wales\) Act 2015](#) and the [Social Services and Wellbeing \(Wales\) Act 2014](#), the latter of which encourages HEIs to ensure that they consider the presence of children and vulnerable adults on campus.

National Strategy 2016-2021

The current [National Strategy on Violence against Women, Domestic Abuse and Sexual Violence – 2016-2021](#) outlines six key objectives:

1. Increase awareness and challenge attitudes of violence against women, domestic abuse and sexual violence across the Welsh Population
2. Increase awareness in children and young people of the importance of safe, equal and healthy relationships and that abusive behaviour is always wrong
3. Increase focus on holding perpetrators to account and provide opportunities to change their behaviour based around victim safety
4. Make early intervention and prevention a priority
5. [Ensure that] relevant professionals are trained to provide effective, timely and appropriate responses to victims and survivors'

6. Provide victims with equal access to appropriate resources, high quality, needs-led, strength-based, gender-responsive services across Wales

HEIs are specifically referenced in the description of objective 2: 'We also recognise that not all children and young people are educated within a school or similar environment, so we will consider how best to support learning in other settings, including higher education faculties.'

The latest [progress report](#) on the National Strategy is for the period 1 April 2017 to 31 March 2018. Key achievements listed include the development of a National Survivor Engagement Framework, the launch of the THIS IS ME campaign to challenge gender stereotypes and the publication of a report setting out the recommendations of the Sex and Relationships Education Expert Panel.

The Welsh strategy sits within the wider UK context, including the UK Government's [Ending Violence against Women and Girls Strategy 2016-2020](#).

Local strategies

The duty on local authorities and Local Health Boards to prepare local strategies may be relevant to HEIs, because the local strategy may include provision relating to actions taken by any public authority, voluntary organisation or other person 'capable of contributing to the pursuit of the purpose of [the] Act'. The relevance of local strategies to HEIs will vary by local area. The Auditor General for Wales conducted a [call for evidence](#) in 2017 on these local strategies, finding that local strategies are 'developing'.

Overview of relevant publications

Universities UK Taskforce

In 2015, Universities UK established a taskforce to look at violence against women, harassment and hate crime affecting university students. The taskforce considered a

wide range of evidence from the National Union of Students, HEIs and other organisations, and undertook original qualitative research with a sample of HEIs.

The Taskforce has produced the following publications:

- Universities UK, [Changing the culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students](#) (2016).
- Universities UK, [Changing the culture: directory of case studies](#) (2017)
- Universities UK with LFHE and HEFCE, [Changing the Culture: One Year On](#) (2018)
- Universities UK and Pinsent Masons, [Guidance for allegations of student misconduct: implementation of the Universities UK / Pinsent Masons guidance on how to handle alleged student misconduct which may also constitute a criminal offense](#) (2018)

These publications provide an extremely helpful overview of work to date in the area and the relevant supporting evidence. They also provide a number of practical recommendations for HEIs (see below) and a wide range of examples of good practice, including in the directory of case studies.

Other key publications

- Equality and Human Rights Commission, [Turning the tables: Ending sexual harassment at work](#) (2018)
- Fawcett, [Sex Discrimination Law Review](#) (2018)
- NUS with the 1752 Group, [Power in the academy: staff-student sexual misconduct in UK higher education](#) (2018)
- Revolt Sexual Assault and The Student Room, [Students' Experience of Sexual Violence](#) (2018)

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- End Violence Against Women, [Spotted: obligations to Protect Women Students' Safety and Equality](#) (2015)
 - NUS, [That's what she said: women students' experiences of 'lad culture' in higher education](#) (2012)
 - NUS, [Hidden Marks: a study of women students' experience of harassment, stalking, violence and sexual assault](#) (2010)
 - Amnesty International and NUS Wales Women's Campaign, [Violence against women: the perspectives of students in Wales](#) (2008)

HEIs may also find it useful to monitor the outputs of the projects funded by HEFCE under the Catalyst Fund to address sexual harassment on campus, hate crime and online harassment. These can currently be found on the [HEFCE webpage](#) and future outputs will be on the [Office for Students webpage](#). As part of this initiative Anglia Ruskin University established a Shared Practice Area to enable HEIs to collaborate, share tools, training resources and this can be joined by emailing sharedpracticearea@anglia.ac.uk

HEIs may also refer to the Welsh Government and Welsh Women's Aid's Good Practice Guide for schools and Further Education Institutions, [A Whole Education Approach to Violence against Women, Domestic Abuse and Sexual Violence in Wales](#).

Key recommendations

The following recommendations for HEIs come from Changing the Culture: One Year On (see above), expanding on the recommendations made in the taskforce's initial report. The report also contains recommendations for UUK and other sector bodies related to sharing and learning from good practice, research, and guidance and communications.

The work of the taskforce is ongoing and these recommendations should not be taken to be exhaustive. Rather, they will be a helpful starting point for many HEIs in a

rapidly developing area. It may be helpful to read them alongside the examples of different institutional approaches and projects illustrated in the Universities UK directory of case studies and the outcomes of the HEFCE-funded projects (see above).

Senior leadership role affording priority status and adequate resourcing

1. Effective practice from the study suggests that where higher education providers do not already do so, they should consider moving sponsorship, ownership and accountability for student safeguarding initiatives to tackle sexual misconduct and hate incidents and crime to the senior leadership team.
2. To ensure sustainability of initiatives which tackle sexual misconduct, harassment and hate crime, higher education providers should consider committing longer-term resources to fund student safeguarding projects and roles.

A holistic institution-wide approach being taken

3. To ensure sustainability of initiatives to tackle sexual misconduct, harassment and hate crime, higher education providers should consider:
 - making working groups, projects or other temporary structures set up to tackle these issues permanent, or at least guarantee their funding for several years
 - ensuring that such groups and projects are embedded within the existing governance and reporting structures of the organisation to ensure that issues are addressed in a cross-cutting way across the organisation.
4. To ensure appropriate oversight of these safeguarding issues by their senior leadership and governing bodies, higher education providers should consider the best strategic reporting mechanism for the governing body (or the relevant senior sub-committee) on sexual misconduct, harassment and hate crime reporting.

This could include reporting on trends, the types of cases and incidents, the responsive measures and outcomes, as well as on preventative measures and their impact.

5. Higher education providers should seek to ensure that the principles and priority status accorded to handling student-to-student sexual misconduct are extended to also cover incidents of staff-to-student sexual misconduct, incidents of hate crime and other forms of harassment.

6. Higher education providers should consider how to make it clearer for their students about how to report, disclose and or seek support for any incident of safeguarding. This should involve introducing the same accessible mechanism(s) for students to make a report, make a disclosure or seek support in relation to any type of safeguarding incident, be this:

- student-to-student sexual misconduct
- staff-to-student sexual misconduct
- hate crime and other forms of harassment
- online harassment.

Effective prevention strategies

7. Higher education providers should consider, if they have not already done so, adopting the new National Student Survey (NSS) questions on safety to be able to baseline and measure student perceptions in this area and compare them with those of their peers.

Effective responsive strategies

8. Higher education providers, which do not do so already, should provide clear information on their websites, in student handbooks, and via social media, on what to do in the event of experiencing or witnessing any incident of sexual misconduct or hate incident or crime. There should ideally be one key source of information which all students should be made aware of.

9. Higher education providers, which do not do so already, should consider adopting a centralised approach to collecting, recording and storing data on all types of incidents of sexual misconduct, hate crime and harassment. This would enable management information reports to be collated to provide intelligence to inform decision-making about how and where to target preventative measures such as campaigns, or training for particular cohorts. It could also support reporting to senior leadership and governing bodies.

Further resources

Universities UK provides a list of support agencies in Annex D of [Changing the Culture](#) (2016) that may be helpful.

In addition, the following resources relate specifically in Wales:

[Live Fear Free](#)

Welsh Government webpage providing advice on domestic abuse, sexual violence and violence against women by telephone, by text and online. The website also includes links to campaigns including THIS IS ME.

[The Survivor's Trust Cymru](#)

The national umbrella agency for specialist rape, sexual violence and childhood sexual abuse support organisations in Wales

[Welsh Women's Aid](#)

National charity working to end domestic abuse and all forms of violence against women in Wales. Welsh Women's Aid delivers the Live Fear Free helpline and a National Training Service, and provides a [helpful list](#) of local services across Wales.

Advance HE was formed in March 2018, following the merger of the Equality Challenge Unit, the Higher Education Academy and the Leadership Foundation for Higher Education.

Our purpose is to advance the professional practice of higher education to improve outcomes for the benefit of students, staff and society. Advance HE has been created to be “of and for the sector” and is jointly owned by GuildHE and Universities UK.

We are driven by the strategic needs of higher education. Through our passion for excellence we aim to create an inclusive culture that champions the continuous development of teaching, leadership and research. We use an evidence-based approach to identify what works, and develop practice-based solutions.

Our vision is that the world-class reputation and standing of higher education is enhanced and recognised for transforming lives, enriching society and developing the economy for the better.

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