

Annual Report 2022/23: Preventing and Addressing Harassment and Sexual Misconduct

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Purpose: To provide an annual report to Council on the University's approach to preventing and addressing harassment and sexual misconduct and its alignment with the Office for Students (OfS) statement of expectations.

The report will provide:

- Background
- Approach to harassment and sexual misconduct
- OfS Expectations progress against action plan
- Disclosures (staff and student)
- Sexual Misconduct Cases considered in line with the Regulations (staff and students).

Summary

The University continues to have a robust set of policies and procedures that seek to prevent and respond to disclosures and reports of sexual misconduct. The University's approach and associated activities continue to align extensively with the OfS Statement of Expectations but we also maintain an ethos of continuous improvement and will ensure that our approach reflects sector best practice and guidance from experts in the field.

All of the recommendations for development from the internal 2021 review of our adherence to the OfS Statement of Expectations are either ongoing or complete. Following the 2023 OfS consultation on the proposed regulation of tackling sexual misconduct, HEIs have not yet received a summary of responses or further indication from the OfS on the outcome of the consultation. The expectation is that at least some of the proposals outlined in the consultation could be implemented by the OfS in 2023/24. In anticipation of this, an internal review took place to identify any changes we would need to make if some or all the consultation proposals are upheld. Although as an institution we already broadly align with the proposals set out in the consultation, further detailed attention would be needed once we have more information from the OfS to ensure that we are able to rapidly move to a position of compliance.

The three main areas of focus for the 2023/24 academic year will be:

- Finalisation and launch of the campaign to raise awareness of the Report and Support tool amongst the University Community and continued staff training through Supporting the Supporters and other bespoke sessions.
- Improving our ability to measure and evaluate impact and service user/stakeholder satisfaction through work in conjunction with the Impact and Evaluation Team embedded in Student Support Services.
- Implementing the planned care pathway within the Student Counselling, Mental Health and Therapies Service to ensure that students who have experienced sexual misconduct receive timely, specialist psychological support.

Background

The University of Sheffield has appropriate policies and procedures in place to prevent and respond to incidents of harassment and sexual misconduct, which ensure that all students registered at the University are protected from this behaviour from other students, staff and visitors. The University is committed to a victim/survivor centred and trauma-informed approach when responding to student disclosures and sexual misconduct cases.

Our approach is consistent with sector practice and is routinely reviewed to ensure we continue to provide an effective response to disclosures of sexual misconduct. We ensure that we identify needs and manage risk appropriately, in addition to facilitating access to appropriate support where needed.

The OfS Statement of Expectations, originally published in 2021, provides a set of consistent recommendations to support higher education providers in England to develop and implement effective systems, policies and processes to prevent and respond to incidents of harassment and sexual misconduct¹. There are seven statements of expectations and 26 recommendations:

1. Higher education providers should clearly communicate, and embed across the whole organisation, their approach to preventing and responding to all forms of harassment and sexual misconduct affecting students.
2. Governing bodies should ensure that the provider's approach to harassment and sexual misconduct is adequate and effective.
3. Higher education providers should appropriately engage with students to develop and evaluate systems, policies and processes to address harassment and sexual misconduct.
4. Higher education providers should implement adequate and effective staff and student training with the purpose of raising awareness of, and preventing, harassment and

¹ Office for Students, Prevent and Address Harassment and Sexual Misconduct Statement.
<https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/prevent-and-address-harassment-and-sexual-misconduct/statement-of-expectations/>

sexual misconduct.

5. Higher education providers should have adequate and effective policies and processes in place for all students to report and disclose incidents of harassment and sexual misconduct.
6. Higher education providers should have a fair, clear and accessible approach to taking action in response to reports and disclosures.
7. Higher education providers should ensure that students involved in an investigatory process have access to appropriate and effective support.

The Action Plan is a live document and reviewed at every meeting of the Sexual Violence and Harassment Steering Group to ensure that we are continuously improving our provision to the university community and meeting new requirements or best practice guidance within the sector.

In February 2023, the Office for Students opened a new consultation on the approach to regulating harassment and sexual misconduct in English Higher Education². The University of Sheffield provided a response to the consultation, approved by the UEB Sexual Violence and Harassment Steering Group. The response indicated our general agreement with introducing a condition of regulation relating to harassment and sexual misconduct, and gave some comments as to where we felt the further detail of the proposed plans might be problematic, or may need revising. The OfS have not yet published a summary of responses or indicated any further decisions though the expectation outlined in the consultation is that some changes would be implemented in 2023. In preparation for this, a review took place to indicate what changes we would need to make if the consultation proposals are upheld. They would need further detailed attention once we have more information from the OfS.

Approach to harassment and sexual misconduct

Governance (staff and students)

The UEB Sexual Violence and Harassment Steering Group (SVSHG) has responsibility for maintaining executive and senior management awareness and oversight of sexual violence and harassment issues, and provides oversight of all activity relating to sexual violence and harassment for both staff and students. In view of the OfS statement of expectations and requirements, UEB Steering Group provides additional reporting to Council, where possible and where relevant via the Equality, Diversity and Inclusion Committee.

In addition, a Sexual Violence and Harassment Operations Group, co-chaired by the Students' Union and the University operationalises the delivery of the University's approach to preventing, recording, and responding to sexual violence and harassment within the University community. The Group focuses on working with stakeholders to identify ways to enable staff and students to challenge inappropriate behaviour at all levels, and maintains the risk matrix and action plan to prevent and address sexual misconduct and harassment.

² **Office for Students:** Consultation on a new approach to regulating harassment and sexual misconduct in English higher education.

<https://www.officeforstudents.org.uk/publications/consultation-on-a-new-approach-to-regulating-harassment-and-sexual-misconduct-in-english-higher-education/>

Information, Disclosing and Reporting (students)

It is vital for all students within the University community to have a basic understanding of sexual consent, to be able to challenge commonly held misconceptions and to know how to access support if they experience or witness sexual misconduct. We proactively and openly talk about healthy relationships and sexual consent with students by providing Consent Conversations, delivered by peer-led Diversity Champions to new students in their academic departments. Further information, advice and guidance is made available on the [University webpages](#), and detailed information on understanding the disclosure process, including flow charts and FAQs, are included on the [Report and Support](#) web pages³.

Students can make a disclosure through the dedicated Report and Support platform, or by contacting the Student Welfare and Wellbeing or Residence Life teams. Students are offered an appointment with a Sexual Violence Liaison Officer (SVLO), in order to discuss further support available, as well as options to formally report the incident. A report could be made to the university, the police, or could be made to both. Where a student indicates an interest in reporting to the University, they are offered a meeting with a member of the Student Conduct and Appeals Team (SCA), accompanied by their SVLO. SCA are responsible for the administration of the Student Discipline procedure, and the meeting is an opportunity to outline and explain the procedure, any involvement or input into the process that may be required of them, and address any concerns or questions.

[Detailed webpages](#) offering information about the SVLO Service, support (both internal and external) and reporting options are regularly updated. Further developments on communications and webpages are underway to ensure that there is transparent information on the activities of the Operations Group and associated action plan.

Improving the visibility and awareness of the Report and Support tool across all members of the University Community is a documented objective across the range of the University's EDI existing strategies and delivery plans. In order to meet this objective, a university wide campaign to further promote the Report and Support platform and to encourage students and staff to disclose any unwanted behaviour has been commissioned by Student Support Services, who will be working with the Student Communications Team, the Report and Support Oversight Group and other relevant stakeholders on its development, with a view to launch in late October 2023.

As detailed in Table 1 (towards end of report), there has been a consistent increase in disclosures of misconduct made to the University over the last five years. This increase reflects the effectiveness of the work that has already been done to raise awareness of unwanted behaviour and to give students the confidence to disclose/report these experiences, in addition to working towards a single point of disclosure through Report and Support. It is also reflective of the wider societal awareness on this subject and increased discussion in the media.

The majority of disclosures which the service receives are named and not anonymous. This is encouraging as it suggests that students feel that it's worthwhile seeking support from the University, and that their concerns and support needs will be appropriately acknowledged and addressed.

³ Report and Support, an online platform licensed by Culture Shift for reporting of any form of bullying, harassment or misconduct. <https://reportandsupport.sheffield.ac.uk/>

Now that the SVLO initiative and the use of Report and Support is more established, we want to better understand the year on year increase in disclosures and be able to assess impact and user satisfaction in relation to our pre and post-vention activities. Some of this will be addressed via the Campus Climate Survey and further work is being done in order to sensitively seek feedback from service users. In addition, the Report and Support Oversight Group recently revised the questions that disclosing parties are asked in Report and Support so that it will be possible to more clearly identify patterns of unwanted behaviour and target future interventions accordingly. This work will start to take place from the academic year 2023/24 onward.

Sexual Violence Liaison Officer Initiative (students)

The University has an established specialised support service for students who have experienced sexual violence or misconduct. The dedicated team specially trained Sexual Violence Liaison Officers (SVLOs) support students who have experienced sexual harassment, sexual violence and/or relationship abuse, either recently or in the past (including prior to university). The SVLO team comprises existing members of staff across Student Welfare and Wellbeing and Residence Life. The team are trained by LimeCulture⁴ and are equipped to provide an effective response to disclosures of sexual misconduct, identifying needs and managing risk and appropriately facilitating access to support, including the involvement of the criminal justice process.

The SVLO team are also one of only two universities in England to have achieved The Male Service Standards accreditation, which was developed through the Male Survivors Partnership, and is a quality assurance framework that enables organisations working with boys and men affected by sexual abuse, rape and sexual exploitation to benchmark their work against an independent evidence base and improve and evidence the quality of service provision to male survivors, in particular recognising their gender-based needs.

Both reporting and reported students (victim/survivor and alleged perpetrator) are provided with a dedicated support contact in Student Welfare and Wellbeing or Residence Life for welfare and wellbeing support, and if relevant, throughout any disciplinary proceedings.

SVLO Pilot, Faculty of Social Sciences (FoSS)

The FoSS SVLO Pilot has been running since February 2023. Distinct from the centralised offer of support from an SVLO, the pilot has included running an anonymous drop-in and the option of bookable appointments specifically for FoSS students, giving them an opportunity to:

- make disclosures;
- ask questions about what support may be available to those impacted by sexual violence and misconduct and their reporting options;
- talk about concerns they have about themselves, their relationship or their friends.

Given that victim/survivors of sexual misconduct will often make their first disclosure to someone that they know and trust (for example, a personal tutor or member of professional services staff), all FoSS departments have been offered an in-person information session to build confidence in appropriately managing disclosures - specifically how to effectively signpost to specialist services and appropriately support students in a boundaried way. Online information sessions are also available for staff to book over the summer.

⁴ LimeCulture, established in 2011, LimeCulture quickly evolved into the UK's leading sexual violence training and consultancy organisation. <https://limeculture.co.uk/about-us/>

Feedback about the support offered, by both students and staff, is being collected and evaluated by the Student Support Services Impact and Evaluation Team and will be reported to the UEB Sexual Violence and Harassment Steering Group accordingly.

Student Campus Climate Survey

In June 2023, the Student Support Services Impact and Evaluation Team worked in partnership with the SVLO service to launch a sexual violence and harassment campus climate survey. The aim of the survey was to gain an insight into students' experience of sexual violence and harassment as well as a greater understanding of their attitudes towards sexual consent and sexual violence.

A total of 861 students responded to the survey, with 576 completing the full survey. The Impact and Evaluation Team are in the process of evaluating the findings, which will be shared with the UEB Sexual Violence and Harassment Steering Group and used to inform the University's ongoing work in this area. We particularly hope that the data will enable us to identify areas of under-reporting and potential barriers to reporting, so that specific work can be undertaken to address this.

The Office for Students has indicated that there will be an expectation for all institutions to carry out similar campus climate surveys in the near future. Our hope is that this survey will be carried out on a bi-ennial basis in order to monitor trends in behaviours and attitudes.

The findings of this survey combined with disclosure data will also help us to develop targeted prevention initiatives.

Psychological Support for Victim/Survivors

The Student Mental Health, Counselling and Therapies Service, in consultation with the Student Welfare and Wellbeing team, are developing a care pathway for students who have experienced sexual violence and harassment. This pathway will give students access to support and specialist counselling/therapy from our embedded and experienced practitioners.

Developing our internal care pathway will afford our students accessible, timely and specialised support. The Student Mental Health Counselling and Therapies Service has been allocated additional resources to increase staffing levels in order to meet need, and is ensuring staff receive up to date training and development in this area. This scheme of work will take into careful consideration the ways in which the Student Mental Health, Counselling and Therapies Service continues to work with alleged perpetrators and careful thought is being given to how these two pathways will be safely managed.

Risk Assessment (students)

The Risk Assessment Panel (RAP) is convened where risk is identified involving student(s), the wider university community or the University's reputation. Following a University Task and Finish Group on Student Suspensions, the Regulations relating to the Discipline of Students were updated for 2019-20 to specifically reference the role of the Risk Assessment Panel within the updated section on precautionary measures and the suspension of students.

Mitigating or precautionary measures include non-contact arrangements between students; directing students to mental health or welfare support; providing guidance on options for leave of absence; moving students into alternative accommodation; meeting students 1:1 to discuss

behaviour concerns.

The Panel meets weekly and is chaired by the Deputy Director of Student Support Services. Membership includes colleagues from Security, Welfare and Wellbeing, Residence Life, Student Experience Diversity and Inclusion, and Student Conduct and Appeals. The Panel is core to ensuring the University has effective processes to respond to risk (including implementing and reviewing precautionary measures and actions).

A general review of the Risk Assessment Panel is underway as part of a wider review of Safeguarding at the University to ensure that it is operating in the most effective way and to ensure that safeguarding, Prevent and risk management approaches are fully embedded in our governance structures.

Student Discipline Procedure

Where a student reports sexual misconduct to the University, an investigation into the allegation and any subsequent hearing are conducted within the framework of the Regulations relating to the Discipline of Students⁵. The Regulations were updated in 2019-20 to explicitly include sexual misconduct in the definitions of misconduct, and the procedure is to determine whether sexual misconduct, and not a criminal offence, has taken place. However, where a student has been cautioned or convicted of a criminal offence, including sexual offences, the University will usually take disciplinary action in line with the Regulations relating to the Discipline of Students.

The Student Conduct and Appeals Team (SCA) is responsible for the administration of the University's Student Discipline Procedure, and adheres to established good practice in the sector, for example Guidance For Higher Education Institutions How To Handle Alleged Student Misconduct Which May Also Constitute A Criminal Offence (UUK, Pinsent Masons, 2016)⁶ and OIA guidance such as the Good Practice Framework on Disciplinary Procedures (Office of the Independent Adjudicator, 2018)⁷.

The University employs two investigators who investigate all types of non-academic misconduct, other than serious sexual misconduct, as defined in the Regulations. The University uses an external company (Intersol Global) to investigate reports of serious sexual misconduct. Note that both the SCA and Residence Life teams will investigate allegations of minor sexual misconduct and referrals to Intersol Global are made on a case by case basis.

There is a commitment to ensure that staff involved in the disciplinary process are appropriately trained to respond sensitively to the often very personal and intimate nature of reports, and to carefully manage the gathering of evidence. This helps to ensure that a robust case is compiled and that the reporting student is not adversely impacted or re-traumatised by the process. Discipline Chairs, and those supporting the process, have to balance the right of the reported student to a fair and full hearing, with a duty of care to the reporting student, and the appropriate presentation of evidence.

⁵ Regulations relating to Student Discipline: <https://www.sheffield.ac.uk/media/14978/download?attachment>

⁶ [Guidance for higher education institutions: how to handle alleged student misconduct \(universitiesuk.ac.uk\)](#)

⁷ Good Practice Framework on Disciplinary Procedures: [Disciplinary procedures - OIAHE](#)

In May/June 2022, Lime Culture delivered a 2 day training programme "Sexual Misconduct Training for Student Panel Members" for Student Discipline Panel Chairs, Staff and Student Panel members, HR Staff Discipline Panel Members, and those supporting the process. Further training is being explored for those in governance roles and decision making bodies to ensure that they are appropriately informed.

Staff Discipline Procedure

Where allegations of sexual misconduct are made against members of staff they are investigated in line with the [University Disciplinary Procedure](#). The Procedure was updated in 2018 to explicitly include all forms of Sexual Violence and Misconduct as an example of gross misconduct and has proven to be appropriately robust when used to address allegations against staff members.

It is recognised however that the number of reported cases of sexual misconduct is unlikely to represent the full picture and that anxiety regarding the way a report may be handled is a factor in individuals choosing not to report an incident.

To address this, a review of our published approach to responding to reports of sexual misconduct and harassment perpetrated by staff is underway. The review will look at ways in which information about reporting processes can be presented in a clear, transparent and understandable manner, and provide assurance to potential complainants about the way in which their disclosure will be handled, the process that will be used, and any involvement or input into the process that may be required of them.

All relevant staff procedures will also be routinely reviewed in light of changes to the law or the publication of sector specific guidance. There is planned sector guidance to be shortly released, which will be considered in conjunction with the McAllister Olivarius Solicitors 'sector guidance to address staff sexual misconduct in UK HE' published in March 2020, which will support the enhancement of the University's approach to reporting and responding to allegations where staff are involved⁸.

⁸ <https://1752group.com/sector-guidance/>

Student disclosures to Student Welfare and Wellbeing

The University distinguishes between a sexual misconduct *disclosure*, where a student tells the university that something has happened to them or someone else, and a *report*, where a student makes a formal report in referral to the Regulations. Disclosures may relate to any event, including those that do not involve another University student or staff member. A disclosure may lead to a disciplinary referral, however, disclosing students may purely be seeking support or information. It should also be noted that, since disclosures can be about historical events or those involving people from outside the University environment, disciplinary action is not always applicable. The below table provides a summary of the total *disclosures* for the last five years.

Table 1

Academic Session	Disclosures to Student Welfare and Wellbeing - Sexual Misconduct						
	Total	Disclosures (students who identify as female)	Disclosures (students who identify as male)	Reported individuals where known (students)	Reported individuals where known (staff)	On-campus where known (inc. residences and SU)	Locations off campus or online where known
2018/19	93	85	8	44	5	41	52
2019/20	80	66	12	34	1	29	51
2020/21	85	74	5	39	2	21	24
2021/22	202	179	22	98	3	62	70
2022/23	202	165	29	88	2	71	96

Student sexual misconduct reports considered in line with the Regulations

The University of Sheffield investigates reports of sexual misconduct in line with the Regulations relating to the Discipline of Students and does not specifically investigate criminal offences such as sexual assault or rape⁹. The University does not use NDA's (non-disclosure agreements) for sexual misconduct cases considered in line with the University pledge not to do so.

The Student Conduct and Appeals Team will meet with any student who has indicated an interest in reporting sexual misconduct to the University to talk them through the process, but that the numbers below reflect those where a student decided to pursue a formal report.

Table 2

Academic Session	Sexual Misconduct Cases considered in line with the Student Discipline Regulations and Outcomes	
	No.	Outcomes
2018/19	3	1 = Undertaking with conditions, apology, restricted access to certain campus spaces, no contact 1 = Suspension, undertaking with conditions 1 = Expulsion (post criminal conviction)
2019/20	1	1 = No further action
2020/21	5	3 = No further action 1 = Undertaking, Reprimand, Suspension 1 = Undertaking, Reprimand (post police caution)
2021/22	8	1 = reported student withdrew pending investigation 1 = reported student withdrew pending referral to discipline hearing 2 = no further action 1 = warning letter 1 = undertaking, reprimand, suspension 1 = undertaking, exclusion from SU 1 = undertaking, reprimand, exclusion from department and attendance at graduation ceremony
2022/23	2	1 = reporting student withdrew from investigation 1 = ongoing

SCA data correct as of 25/07/2023

⁹ Note: As referenced earlier in the report, whilst the University does not investigate criminal offences, this does not mean that incidents would not be investigated - simply that they would be investigated in terms of the provisions outlined in the regulations relating to student discipline.

Sexual misconduct staff data update July 2023

The University of Sheffield investigates reports of sexual misconduct made against staff wherever it is possible to do so. Where there is sufficient evidence, cases of sexual misconduct are considered under the University disciplinary procedure. The data presented below details reports made regarding staff.

Reports can be made by staff or students at the University or third parties on behalf of themselves, or others.

Table 3

Academic year	Total reports of sexual misconduct against members of staff			
	Total no	Reported by staff	Reported by student	Reported by others or anonymous
2018/19	7	2	3 (+2 staff details not provided by the students)	0
2019/20	2	1	1	0
2020/21	4	4	0	0
2021/22	8	2	4	2
2022/23	4	2	2	0

Table 4

Reported staff member's role type	No.
Academic	1
Professional Services	3

Table 5

Reported staff member's gender	No.
Female (inc trans woman)	0
Male (inc trans man)	4
Unknown/ not stated	0

Table 6

Type of outcome	2022/23 to date	2021/22 updated*
No further action/allegation not substantiated	0	3
Warning	1	1
Dismissal	0	2
Informal action	1	1
Individual resigned	2	0
Pending outcome	0	1 (dealt with by external organisation)

* Due to the lag between the submission of reports/complaints and their resolution - it is not possible to provide a complete picture of outcomes at the point of the annual report submission. The data provided in last year's report has therefore been updated in order to provide a fuller picture of the outcomes from reports/complaints raised in the 2021/22 academic year.