

# **2023 Public Description of Work for Action Collaborative on Preventing Sexual Harassment in Higher Education**

The 1752 Group

## **Higher Education After #MeToo: Institutional responses to reports of gender-based violence and harassment**

### **Relevant Rubric Area(s):**

1. Response: Improved Policies
2. Evaluation: Conducting qualitative research on the experiences of sexual harassment
3. Remediation: Other efforts to remediate the harm of sexual harassment and/or support those that experience sexual harassment

### **Description of Work:**

#### **1. Purpose and goals**

This study aimed to capture some of the changes that have been occurring in UK higher education institutional responses to gender-based violence and harassment (GBVH) since 2016. It focused specifically on reporting and disciplinary processes, paying attention to how formal reports are being handled as well as what happened when interviewees disclose but do not report. Unlike our previous research which has been concerned with staff-student sexual misconduct, this study also included interviewees who disclosed or reported staff-staff and student-student GBVH. The research analysed accounts from victim-survivors who reported or disclosed to their institutions ('reporting parties') as well as perspectives from staff in a variety of roles who were involved in handling reports/complaints of gender-based violence and harassment in higher education ('response staff').

While some of the findings are specific to the UK context, there are also wider learnings around safe and effective institutional responses to GBVH that are relevant in other jurisdictions.

#### **2. Methods and approach**

The data sources were as follows:

**1. 25 interviews with staff in HEIs and students' unions who were involved in handling reports/complaints on gender-based violence and harassment (described as 'staff handling reports' or 'response staff').** 20 interviewees were based across three case study institutions and students' unions, in roles including student services, students' union advice and sabbatical officers, human resources (HR) staff, and academic managers, among others. Five further interviewees comprised three external investigators working across different higher education institutions (HEIs), and two further staff who had specific experience of addressing data privacy-related issues.

**2. 27 interviews with staff and students who disclosed or reported GBVH to their institution (described as 'reporting parties') whose experiences were as follows:**

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- Staff who were targeted by other staff: 6 interviewees
- Students who were targeted by staff: 13 interviewees
- Students who were targeted by other students: 8 interviewees

Interviews were carried out in the second half of 2020 and during 2021.

### **3. How the work is new**

There is little existing research evidence on how students and staff/faculty within higher education experience reporting and disciplinary processes within their institutions. Investigation and adjudication were not researched as part of the National Academies report (2018, p.3) due to their complexity and being beyond the scope of the study.

### **4. Findings**

- There is some evidence of good quality, specialist support being provided to students who were targeted for GBVH (although not all students in this study received such support). This does not appear to extend to support for staff/faculty reporting parties.
- A lack of detailed guidance at national sector-level in the UK means that staff responding to disclosures/reports of GBVH are carrying a high level of risk. This also means that work is being duplicated at individual institutions, and institutional responses to disclosures/reports of GBVH vary greatly across the sector.
- The most common outcome of a formal report among this sample was responding parties (both staff and students) leaving the institution or graduating during an investigation/disciplinary process. This study was not representative of any wider populations, so this finding is not generalisable. However, it does indicate that better systems for information-sharing between institutions are needed to tackle this issue.
- There is a high level of variation between higher education institutions (HEIs) in how GBVH is being handled, including the level of investment; whether specialist staff are employed; whether appropriate systems and policies are in place; and HEIs' willingness to take robust action in response to reports. In general, student services are more advanced in this work than Human Resources (HR) departments.
- While there is a substantial amount of work that can be done at the level of individual institutions to improve systems, there are urgent sector-level or structural issues that need to be addressed in order to ensure that GBVH reports are appropriately handled. While some HEIs are attempting to tackle these issues at institution-level, such complex legal and procedural questions require a standardized approach. These include:
  - The reporting party being structurally disadvantaged in reporting processes, with fewer rights than responding parties.
  - The variation in reporting parties' rights according to whether they are staff or students, and whether they are reporting misconduct from staff or students.
  - The reporting process being centred on the responding party, which includes a lack of remedy for reporting parties.
  - Related to the above points, the inappropriateness of the standard grievance/complaints/disciplinary process for tackling sexual harassment.
  - The continued lack of clarity around information-sharing between institutions.
  - The lack of appropriate alternative options to formal disciplinary processes.

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- Despite some evidence of good practice from the Universities and Colleges Union (UCU), this report found that some UCU local branches are prioritising representation for responding parties over reporting parties, and that in some cases UCU representatives are using harmful tactics to defend staff respondents.

### **5. Next steps for the work**

Training has been developed for specialist and professional staff within higher education institutions who are handling reports/disclosures has been developed and piloted. This includes:

- Training for Human Resources professionals on handling reports of staff sexual misconduct (half day)
- Training for disciplinary panel members and decision-makers on adjudicating sexual misconduct disciplinary cases (4.5 hours)
- Training for events organisers on running safer events (2 hours)
- Training on informal adjustments for safeguarding students on receiving reports of gender-based violence or harassment (2 hours)

Further details on training are available at: <https://1752group.com/consultancy/>

**Website for further information (if applicable):** <https://1752group.com/higher-education-after-metoo/>

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