



## ***Is the culture changing? Sexual harassment of students and next steps after the 'Changing the Culture' taskforce report***

Tuesday 15 November; 10:00-11:00; Wilson Room, Portcullis House, Bridge Street, Westminster, London, SW1A 2LW

### **Introduction**

In November 2015, the Universities Minister Jo Johnson invited Universities UK to convene a sexual violence and harassment taskforce to "build on existing efforts to bring about cultural change and provide new guidance for the sector".<sup>1</sup> The taskforce – composed of university leaders, student representatives and academic experts – published recommendations on 21 October 2016 for dealing with harassment, sexual violence and hate crime in universities.

The prevalence of the sexual harassment and assault of students has received increasing media, political and sector attention. Against a backdrop of reports on the pervasive 'lad culture' within universities and colleges across the UK, there have been growing concerns for student safety and how students, institutions and authorities can tackle this. The taskforce report, titled '[Changing the Culture](#)', makes a series of recommendations to universities on preventing and responding to sexual harassment and assault. The taskforce looked also at the guidance available to universities on managing situations where a student's behaviour may constitute a criminal offence. The taskforce concluded that the existing guidance dating back to 1994 (known as the Zellick guidelines) required review. This review has been carried out and new guidelines<sup>2</sup> have been published alongside the report.

### **Key statistics:<sup>3</sup>**

- 1 in 7 women students have experienced a serious physical or sexual assault
- 68% have been a victim of verbal or physical harassment on campus
- 17% have been the victim of some kind of sexual harassment within their first week
- 59% of witnessed incidents of harassment have happened at social events or in night clubs
- 62% of students are not aware of how to report sexual harassment or assault at their university

### **Taskforce Recommendations**

#### *Senior leadership*

The taskforce recommends that all university leaders afford tackling violence against women, harassment and hate crime priority status and dedicate appropriate resources to tackling it. The report acknowledges that initiatives to tackle violence against women, harassment or hate crime will not be effective without senior level commitment and the necessary resourcing, prevention and response.

#### *Institution- wide approach*

The taskforce recommends that universities should consider taking an institution-wide approach to tackling violence against women, harassment and hate crime, and recognises that in the past responses to tackling violence against women, harassment and hate crime have been fragmented and can lead to pockets of good practice that are not shared.

Institutions are encouraged to approach these issues in a joined up and systematic way, carrying out regular impact assessments to evaluate how well they are responding, recording data effectively with progress reports, and working with students' unions.

<sup>1</sup><http://www.universitiesuk.ac.uk/highereducation/Pages/Newtaskforcesetuptolookatviolence,harassmentandhatecrimeaffectinguniversitystudents.aspx#.Vv6W-uIrLIU>

<sup>2</sup> <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/guidance-for-higher-education-institutions.aspx>

<sup>3</sup> Drawn from NUS, *Hidden Marks* (2011) and *Lad Culture and Sexism Survey* (2014).



## *Prevention*

The taskforce proposes several ways in which universities can work to prevent sexual harassment and assault. The report emphasises that a high-visibility zero tolerance approach should be embedded and regularly reaffirmed at universities, with human resources processes embedding measures to ensure staff understand the importance of fostering a zero tolerance culture. This recommendation will help to ensure all staff can challenge student behaviour that breaches codes of conduct as well as help to create cultural and behavioural change within the university. The taskforce also recommends that universities should consider adopting an evidence-based bystander intervention programme<sup>4</sup>, and that 'partnership agreements' (or student contracts) should set out students' behavioural obligations and the disciplinary sanctions a student could face if they fail to meet these obligations.

## *Response*

In regards to responding to incidents of harassment and violence, the report recommends that universities should develop a response for disclosure of incidents of sexual violence and rape which is clear, accessible and representative, and notes the importance of handling disclosures in a way that enables students to be referred to specialist support as quickly as possible and that staff record information in a factual and non-judgmental manner.

The report suggests that universities should implement a centralised reporting system, which is clearly signposted and gives different reporting options, including anonymous reporting. Universities should also conduct a thorough assessment of which staff members need to be trained and what training needs to be provided, so a clear, multi-tiered training strategy can then be developed. The report explains that training should not just concentrate on sexual harassment and assault but other types of harassment and hate crime covered in the report, including how to respond to LGBT+ harassment, anti-Semitism, islamophobia and online harassment. The taskforce also recommends that Universities should build and maintain partnerships with local specialist services and with local police and NHS.

## *Sharing good practice*

The taskforce recommends that Universities UK should hold an annual national conference for the next three years to facilitate the sharing of good practice on matters related to the work of the taskforce; the first annual conference was on 3rd November 2016. The taskforce also recommends that Universities UK should publish a directory of case studies and templates based on what the sector is already doing to help to share best practice as SUs and institutions develop their response to tackling violence against women, harassment and hate crime.

## *Online harassment*

The evidence collected by the taskforce highlights the growing problem of online harassment and the difficulty in addressing this given that students use social media so extensively in everyday life. The report notes however, that the quality and effectiveness of responses across the sector is varied. The Taskforce recommends that Universities UK works with relevant bodies such as NUS, Jisc and Reclaim the Internet to assess what further support may be needed in relation to online harassment and hate crime.

## **The Zellick report and new guidelines**

The Zellick report (or Zellick guidelines) was produced in 1994 by a taskforce made up of members of the Committee of Vice Chancellors and Principals (now UUK) and headed by Graham Zellick, the then president of Queen Mary and Westfield College. The report gives advice about what to do when a

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<sup>4</sup> One example of a bystander initiative is the 'Intervention Initiative' which has been developed by the University of the West of England (UWE). It is an educational programme for the prevention of sexual coercion and domestic abuse in university settings, through empowering students to recognise, condemn and report such behaviour. The intervention has been identified as an effective preventative measure which can help to change perceptions and drive culture change in universities.



student's misconduct may also constitute a criminal offence: for example, when a student is accused of sexual misconduct, physical misconduct or damages a university's property.

In March 2016 UUK's taskforce called for a review of these guidelines. The new and updated report has been developed by the legal firm Pinsent Masons, working with members of the steering group. The new report is called: [Guidance for Higher Education Institutions: How to handle alleged student misconduct which may also constitute a criminal offence](#).

One of the most controversial pieces of advice from the 1994 Zellick report was its recommendation that universities should not address incidents of sexual violence through their own disciplinary proceedings. The report states that even if the victim has a preference for the matter to be dealt with internally, the university should not use its internal procedures. Only once the accused is under investigation by the police or awaiting trial could a university exclude or suspend a student.

The new guidance, in contrast, ensures that a survivor of sexual violence or a victim of any type of student misconduct has a range of options available to them. A victim/ survivor can choose to make a report to the police, take some time to consider the option, decide not to report the matter to the police but request that the university consider the case under its Disciplinary Regulations, or take no further action.

The guidance writes that no pressure should be put on the reporting student to take any particular course of action and that the 'university should usually allow the victim to decide whether or not to report the matter to the police.' Only in exceptional circumstances (such as to prevent further harm to others) should a university report an alleged crime to the police contrary to the wishes of the victim/ survivor. Even then, the report notes that in doing so the university would need to take into account the harm caused to the reporting student.

## Questions to consider

- What measures can the Government introduce to ensure that the recommendations can and will be taken on by Universities?
- What action can and should be taken to ensure that comprehensive data on sexual violence, harassment and hate crime at universities is collected and used to tackle these issues?
- What are the next steps that need to be taken and by who in order to achieve meaningful culture change at universities around sexual harassment, sexual violence and hate crime?
- Issues of violence against women are not limited to university campuses, but are a problem throughout society, including schools, workplaces, sports organisations and entertainment venues. How can universities work to take the lead in combating sexual harassment and violence throughout wider society?
- How can we address areas the taskforce was unable to look at fully, such as staff-student sexual harassment and assault, race hate crime, disability hate crime, forced marriage and domestic abuse?

**For further information, please contact Alexander Lee, Political Affairs Manager, National Union of Students ([alexander.lee@nus.org.uk](mailto:alexander.lee@nus.org.uk)).**