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1.Introduc tion

Violence, harassment, and hate have a devastating impact on an individual’s self-worth, mental health, and well-being. It is 0 22c8 (l)3.1.17(t)-3i24 (t)-3.56 (485.4 (dc)-32.010(h)-296 (l)-5. .56 (h)-2.87(l h)at u (l))2.566.8-12

3. Areas of focus

5. Questions for Boards

- How is the Board's leadership commitment on this issue made visible DQG FRPPXQLFDWHG WR VWD•"
- Does the governing body understand its responsibility?
- Is the governing body sighted on the University's work to tackle harassment and if so, what reports are received and how frequently?
- Are there key targets (including targets for resources) for harassment that are widely disseminated, and what progress has been made against these targets?
- Has the governing body appointed a champ.1 (e)-17 (t)]TJ 0 4 BT /Span <</ActualText (þÿ)>>BDC 10 0 0 10 58.1103 5

Additional questions for Chairs

- As a board are we providing the appropriate balance of challenge and support to the Executive Team in this area?

  $P – FRQ4GHQW WKDW WKH LQIRUPDWLRQ UHFHLYHG DW %RDUG WULDQ UHSRUWV IURP VWD• DQG VWXGHQWV ZRUNLQJ LQ WKLV DUHD"

  ' R WKH H[LVWLQJ JRYHUQDQFH VWUXFWXUHV H•HFWLYHO\ VXSSRUW DI communication which prevents and addresses issues of harassment? If not, what needs to change?

- Is there a consistent cross-institutional approach to the prevention of harassment in the University and is a culture change programme needed?

- W

6. Approaches to tackling harassment in other institutions

For Chairs and governing bodies who are interestee6AE 0.6 (s)]TJ(e)3.3 (r)8.5 (e)-1.4 (s)-.3 (r)- >>BD

7. Conclusion

Chairs and governing bodies have a critical role in providing leadership to their institution and creating a culture that ensures universities become safe places to live, work, and VWXG\ IRU ERWK VWD• DQG VWXGHQWV

Most Universities already prioritise action in this area, however, the need for universities to continue improving and demonstrating their

Appendix 1

The Legal and Regulatory framework and other considerations

The Legal and Regulatory framework

Universities are public bodies with a legal duty to ensure that students can access education free from discrimination and harassment.

Legal obligations from universities to students may arise under:

- Contract
- Common law – a breach of which would give rise to a claim in negligence
- Health and Safety law
- Equality Act (2010). Under the Equality Act, universities owe a public sector equality duty, which requires them to have due regard to the need to:
  - Eliminate discrimination;
  - Advance equality of opportunity; and
  -)RVWHU JRRG UHODWLRQV EHWZHHQ SHRSOH IURP GL•HUHQW GHPRJ groups.
- Human Rights Act (1998), which protects various competing rights, and Freedom of Speech
- The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

  ' DWD SURWHFWLRQ DQG FRQ4GHQWLDOLW\ ODZ

8QLYHUVLWLHV DUH DOVR ERXQG EH WKH &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW &RQWUDFW implement t heir c omplaints p rocedures.

Regulatory r equirements

Universities are also expected to comply with regulatory requirements. Althoug h not currently connected to any initial or ongoing conditions of registration wit h the O[3 0 -15 TD (e928h)Tj -mv, 6.4 (e O)-25.1 ([)8(3 0 -15 TD (e(e)S (o)-5.8 (n)0.5 (w0.5r<977 0 Tw 2

7KH 2]FH RI WKH –QGHSHQGHQW $GMXGLFDWRU 2–$ DQG WKH 6FRWWL
Public Services Ombudsman Good practice framework: handling student complaints and academic appeals. The guidance should be considered for universities in Scotland alongside The Scottish Higher Model Complaints Handling Procedure available from the Scottish Public Services Ombudsman.

4.

Appendix 2

Appendix 3
CUC Higher Education Code of Governance

Equality, inclusivity and diversity

The governing body promotes a positive culture which supports ethical behaviour, equality, inclusivity and diversity across the institution, including in the governing body's own operation and composition. This LQFOXGHV HQVXULQJ XQGHU UHSUHVHQWDWLRQ DQG GL•HUHQFHV LQ RX challenged and, where practicable, corrective action is taken to ensure fair outcomes for all.

3.1 HEIs are required by law to comply with equality and diversity legislation, and the governing body is legally responsible for ensuring the institution's compliance. Legislation in this area does not GLVWLQJXLVK EHWZHHQ GRPHVWLF DQG LQWHUQDWLRQDO VWXGHQWV DQ

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Appendix 4
Notes on assurance

Understanding the current position

The Governing Body will need an understanding of what constitutes sexual misconduct, harassment, and hate incidents. That will include

3 UR PRWHV DZDUHQHVV RI WKH OHJDO 4QDQFLDO DQG UHSXWDWLRQDO taking action - how a university addresses harassment can impact its relationship with students (current and prospective) and its relationship with local communities.

5HFRJQLVHV ORZ LQFLGHQWV DUH QRW QHFHVVDULO\ JRRG DQG PD\ UH under-reporting. In the same vein, an increase in the number of incidents reported may be a positive outcome and be indicative of emerging culture change.

6XSSRUWV DQG SURWHFWV VWD• ZRUNLQJ LQ WKLV DUHD 7DFNOLQJ KD H•HFWLYHO\ UHTXLUHV OHDGHUVKLS WKDW VXSSRUWV VWD• RSHUDWL and chairs are well-placed to ensure that the institution's culture and OHDGHUVKLS HQDEOH WKLV 6RPH VWD• DW LQVWLWXWLRQV WROG XV

"The most important thing the board can do is recognise the issues are not going away – I have KPIs I will never reach."

"The D31 (e D31 (e De K)-14 u)-4 (e b)--6.1 (g t)-1l ns7 (a)-8.93 (e)-3. (c)-6.5n7 (a003>-1.276 -2.634 T)--6.1 (g C3>-1.2764E>

- Receive assurance that there is appropriate student engagement in campaigns to prevent and address harassment and, if not, the reasons why.

Having oversight of their University's communications on harassment governing bodies can help drive change and support continuous process maintenance and reinforcement. To maximise the contribution of governing bodies, communication on harassment needs to be two-way so governing bodies understand the lived experience of those who have experienced ha rassment.

Partnership w orking

(Y L G HHR Q FWKE H Q H V4 RVS U W Q H U RVUKNJ L QG W D N H K R O G H U engagement in addressing harassment can be found in the UUK Changing the Culture reports, evaluation Ueports from the OfS Catalyst I X Q G H G S U R M H F W V W K H 8 . 5 – % X O O \ L Q J D Q G inDvatDn V V P H Q W L Q U H V H D U F K D Q G environments report, amongst othe rs. All inte rviewees believe W K D W H I I H F W L Y H H Q J D J H P H Q W Z L W K S D U W Q H U V L Q F O X G L Q J V W D I I V W X G H Q W V commw (police,)Tj T* [m0ty07[3ader/C2a0 Tf 662 552>-4an S@ 4 S@ 4 S@ 4 SD J ð 0 S@ 4 S@ ;• 0 a

Interestingly all universities interviewed recognised that despite progress DFKLHYHG LQ GHYHORSLQJ PRUH H•HFWLYH V\VWHPV DQG SURFHVVHV IR harassment, there was still more to do, and this was likely to be the case for some time.

All institutions reported that stakeholder engagement increased the quality of their response to incidents, their legitimacy, and their problem-solving capacity.

Appendix 5
Case studies

Practice in universities

: HZ R XGO HWR W K DDQ VHK V W X G H Q W Q G H U Y L F H V D K H R U N H G with us to develop our response and prevention work, in particular, our Students' Union and the local partner agencies involved in the Nottingham Consent Coalition. It is these partnerships that have enabled us to develop a truly great, sustainable service to support students and the wider Nottinghamshire community."

The University of Stirling

The University of Stirling's commitment to the promotion and mainstreaming of equality and diversity is embedded in its Charter and set out in an institution vision Statement:

"Our goal is to create and nurture a University culture and environment based on fairness, equality, cultural diversity, inclusion, and respect."

Its approach to preventing and tackling harassment and sexual
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'HOLYHULQJ FRPSUHKHQVLYH WUDLQLQJ IRU VWXGHQWV VWDII DQG VS
FRDFKHV DQG RIILFHUV LQVWLOOLQJ LQWR 8QLYHUVLW\ FXOWXUH WKD
gender-based violence will not be tolerated and that everyone is
accountable for challenging this behaviour in all forms;

– QWHJUDWLQJ WUDLQLQJ RQ *%9 LQWR VWDII DQG VWXGHQW LQGXFWLR

The response team provides face-to-face support and advice and there is also an online disclosure tool provided as part of the service. The team is highly regarded and is embedded in the University's Student Support and Wellbeing department. It continues to receive investment from the University and is considered to have bee n one of the main drivers for culture chan9.6]TJ -0.395 Tw >>By96w >>-0.395 Tw >.6]TJ -0.393u6yd is cid

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Appendix 6

References and sources of information

Changing the culture: Report of the Universities UK Taskforce examining violence against ZRPHQ KDUDVVPHQW DQG KDWH FULPH D•HFWLQJ XQLYHUVLW\ VWXGHQWV

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