

# #StandByMe - Consultation

**A look into the findings of the  
#StandByMe consultation**

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# Introduction

NUS Women's campaign launched [#StandByMe on 25 November 2015](#) to coincide with the International Day for the Elimination of Violence against Women. We called for higher education institutions to reject the Zellick guidelines on how they should handle incidents of sexual violence and other disciplinary issues that may constitute a criminal offence. We argued that these guidelines were out of date and wholly inadequate for supporting students who experience sexual violence on campus. In March 2016 we succeeded in getting a review of Zellick by the taskforce set up to look at violence against women, harassment and hate crime in higher education institutions (HEIs) and led by Universities UK (UUK).

As the higher education sector considers how best to address sexual violence on campus, we believe that the voice of students should be central to any new guidance or recommendations put forward. This is why we launched the Stand By Me consultation in April 2016 to collect students and students' unions views of what should be in place to support those who are affected by sexual assault and other forms of sexual violence in HEIs.

This briefing gives a summary of the responses we received from our consultation work. The results include the views of a consultation event we held in mid May with 45 delegates from students' unions across the country. It also captures the 13 responses we received through an online consultation which was open for a month between April and May. All responses were from students' unions or students in higher education institutions. It was clear that at least one individual who took part in the consultation was a survivor<sup>1</sup> of sexual violence.

We have combined the results of the consultation into a short manifesto which outlines our recommendations to better support student survivors, and for students' unions to use to inform university policy, procedures and support systems.

Susuana Amoah

NUS National Women's Officer

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<sup>1</sup> Throughout this briefing paper we will use the term 'survivor' to refer to students who have experienced sexual violence in higher education institutions. This is a term used by many sexual violence services, including Rape Crisis.

## Key themes

There were a number of cross-cutting themes repeated throughout the consultation. First and foremost were comments around the importance of making sure the institution and the students' union respond appropriately to disclosures of sexual violence. Making sure the survivor is taken seriously as well as ensuring there is no victim blaming were viewed as critical to an appropriate response. For one respondent, reacting in the right way to a disclosure was seen to be particularly important given the stigma and lack of understanding surrounding sexual violence:

*'People don't understand how it feels. I got asked that once. Specifically "I don't get the trauma" I used a burglary of a house scenario. People often can't sleep after their house has been burgled. They have lost control, they have lost their property, they don't feel safe. Now imagine that when it is your own person, your own body. You can't get away and everyone is also throwing opinions and judgements at you. When your house is burgled the first thing people say to you is "how terrible, that must be awful. I was burgled once." Not "was it really a burglary, but you left the door open didn't you, well everyone gets burgled" this is an issue which needs to be shown [...] not in an angry way but in a pure, light of the day facts.'*

In addition, most respondents highlighted the importance of not forcing the survivor to go to the police and that university processes/ procedures should, as much as possible, be 'survivor led.' The idea of confidentiality and anonymity for the survivor was also viewed as critical to the disclosure process. For instance ensuring that when a survivor discloses, information about the case is passed on only where it is necessary and with the survivor's consent. Many respondents explained how survivors are sometimes unwilling to disclose because they are worried this might affect their studies or their career, particularly if their confidentiality is breached. More broadly, it was noted that any information gathered on survivors (whether that be on retention, number of instances of sexual violence reported etc.) should be kept confidential.

To tackle sexual violence, zero tolerance policies to sexual assault and sexual violence were strongly supported, as were student and staff codes of conduct that outline sexual assault as a breach of those codes of conduct. Harassment advisors and independent sexual violence advocates were also endorsed by the majority of respondents to help survivors disclose and be supported throughout complaints and disciplinary procedures. In addition, respondents said that they believed reasonable adjustments for survivors to be a good thing - with many respondents highlighting how survivors must be given extensions/ time off to complete their studies if needed. Adjustments might also need to be made with the survivor's accommodation/ academic classes in order to ensure the survivor does not need to be around the alleged perpetrator. Finally, having access to support services - whether that be counselling services or otherwise, was viewed as a key part of ensuring the wellbeing of survivors and ensuring they do not drop out of their institution.

# Policy

The consultation asked a number of questions around how to make policy effective for combatting sexual assault and rape and what policies could be put in place to improve how institutions and students' unions tackle sexual violence and support survivors of sexual violence.

Responses we received included:

- Overwhelming support by participants that institutions and students' unions need to have a **joint zero tolerance policy** on sexual assault. Respondents also mentioned the importance of training to ensure the policy could be implemented. There was also one comment that while a joint policy is good, this needs to be carried out regardless of who the perpetrator is (staff or students).
- Policies need to clearly identify **who** the designated person or team is to go to in the event a student/ staff member experiences sexual violence.
- Policies need to make sure the **process** for taking forward a grievance/ complaint is clearly outlined. This also includes clear routes that are independent from the institution.
- Policies need to be **clear and accessible**. For instance, not being excessively long or having 'reader- friendly' versions of policy. Making sure policies were online was highlighted by participants. One participant also highlighted that policies needed to engage with different student groups, including **faith groups**.
- There needs to be **clear definitions of sexual assault and rape** in relevant policy and this needs to be gender neutral. One comment made online was how policies should not '*tier sexual assault*' so that penetrative assaults are automatically considered more serious than non-penetrative assaults.
- There were mainly positive responses to the proposal that sexual assault should be outlined in **student and staff codes of conduct**. However, two individuals stated that the consequences of breaching the code of conduct should not be too prescriptive and needed to be outlined further in disciplinary policy.
- Participants and respondents online were very supportive of the idea of having **reasonable adjustments** for survivors, whether that be in relation to pastoral support, or in relation to their academic studies.

## Safeguarding

There was a mixed response to having safeguarding policies to minimise the potential risk of perpetrators of sexual violence to other members of the institution. While most respondents thought this could be helpful, there were concerns around confidentiality and consent and whether this would necessarily involve reporting to the police. Two online respondents did not agree this would be useful. One respondent wrote:

*'Safeguarding policies would provide a clear route for staff dealing with third-party disclosures and situations where multiple people raise concerns about one individual. However, often in these cases there is a lack of evidence as reports are second-hand or based on gut instinct and therefore often staff are unable or unwilling to take action, and therefore what is the point of telling them?'*

There was one comment that it might be better developing a safety plan with the survivor of sexual violence.

Other comments we received were:

- The need for sexual harassment policy to exist **separately** from other policy
- The need for **drinking/ alcohol policies** to include something on sexual violence
- The idea that policies must have **strong elements of prevention**, not just reaction i.e. clear and coordinated work on tackling lad cultures, victim blaming cultures and misogynistic/homophobic/transphobic attitudes.
- Institutions should have policy advising against **intimate staff-student relationships** and how there needs to be greater awareness of the power imbalance that affects staff-student interactions, especially at a postgraduate level. The same respondent also wrote that there needs to be robust disciplinary procedures and policies for **staff**, and these procedures need to be enacted.
- Institutions should be required to collect **anonymized data** on incidences of sexual violence and release this data yearly.

# Reporting

The consultation looked at what barriers existed to creating accessible reporting systems for survivors and how reporting procedures could be improved. The main barriers identified included:

- **Lack of awareness** by survivors about what constitutes sexual assault.
- Fear of **victim blaming** by survivors or feeling that they won't be taken seriously.
- Feelings of shame by survivors.
- Worries about **lack of confidentiality**, including that **lecturers and peers will find out** and that it will affect their course, grades or career if they disclosed. One respondent noted that survivors may feel this more in cases where the alleged perpetrator is a member of staff or fellow student rather than someone outside of their educational community.
- **Fear of police involvement** if they make a complaint to someone at the university.
- Difficult procedures to make a complaint/ or that survivors are unaware of a process to disclose at all.
- The fact that no-one **talks about sexual violence** openly on campus (which increases stigma of reporting).

## Accessible Reporting Systems

Responses for how reporting could be made easier included **widely publicising a clear reporting and complaints process** and identifying a clear point of contact. Issues of **confidentiality** and ensuring this is maintained was also mentioned as important for any reporting process.

There was strong support for having a **harassment advisor** to support the student through the institution's reporting process and signpost them to relevant support services (responses online included comments like this is 'crucial' or would be 'exceptionally useful'.) However, it was noted by one online respondent that this may not be effective if students don't feel comfortable going to someone in person in the first place.

One respondent described how harassment advisors would be '*potentially useful - I think this could work at a departmental level, if there were staff contacts in every department who could help with reporting given the sheer size and geographic disparity of the institution. Having a few centrally located ones would be useless for so many of our students.*'

## Third Party Reporting

There was a mixed response to the suggestion of allowing third parties, including by external agencies, to report incidents of sexual violence. While some thought this would be invaluable, others raised concerns around confidentiality and what would be done with that information (i.e. would the survivor be contacted?) One person also commented that third party reporting would not be very effective for ensuring the perpetrator is disciplined.

## Anonymous Reporting

**Anonymous reporting** was described as a useful mechanism to identify trends by the majority of respondents. It was not identified as useful however for taking any action against a perpetrator:

*'Positive but needs careful management, particularly around expectations. Institutions are unlikely to respond to anonymous reports and people need to understand that if they want action to be taken they will probably need to come forward'*



# Investigation and disciplinary procedures

There were a number of issues highlighted on how to improve the investigation of an incident of sexual assault/ sexual violence. Comments that were repeated were around making sure there is no victim blaming and ensuring that the survivor is taken seriously as well as making sure that students weren't forced to report to the police. Many respondents also highlighted the need to make sure the survivor is **consulted** at every stage of the investigation process. Other ideas put forward included:

- Creating an investigative process that does not require repeat disclosures from the survivor.
- Getting the **consent of the survivor** around when information needs to be shared, when and why.
- Ensuring that the survivor does not have **to meet with the perpetrator** throughout the investigation process.
- The process is **clearly explained** to the survivor, including how they can submit evidence, how time scales work and all the possible actions that can be taken. One respondent noted that student survivors should be able to receive updates on the progress of their investigation.
- Survivors are **signposted to support** services.
- The survivor is assured that making a complaint **won't affect their studies** (other than positively where adjustments can be made e.g. mitigating circumstances, extension of deadlines).
- Staff are **given training** on how to take forward an investigation.
- If there is a police investigation university staff should be made clear about what actions would invalidate or harm the case.
- There should be measures put in place that enable the suspension of an alleged perpetrator during the investigation to ensure the safety of the survivor and other members of the education community.

There was strong support for an **independent sexual violence advocate** to support students to take complaints forward. Similarly, many respondents supported **information sharing between police centres** and the institution with the survivors consent and **information sharing between rape crisis centres** and the institution, with the survivors consent. There was slightly less support for **third party reporting** and **reporting by external agencies** for the online consultation. One comment made was: *'I am not convinced that it is best practice to allow third parties to report sexual assault on someone else's behalf.'*

In addition, there was very strong support by participants for sexual harassment and assault to be outlined as a behavior that **breaches the student code of conduct** and will result in disciplinary action. There was an acknowledgement by one respondent that disciplinary action should be combined with less punitive outcomes, such as educating the individual about why their behaviour is unacceptable.

# Student Support

Respondents identified a number of barriers to providing adequate student support. Issues raised included:

- **Lack of money/ resource** for student support services
- **Long waiting lists** for support services
- Lack of staff **training** (one online respondent wrote there was an '*unwillingness by student support staff to attend more specialised and in-depth training*')
- **Lack of time** given to survivors in support services
- **Unconscious bias** from staff/ support services
- **Victim blaming**
- **Lack of understanding** about the support students' need
- Lack of **institutional priority** to tackle sexual violence and support survivors

## Accessible Support Services

Similar ideas emerged in terms of how to make support services more **accessible to survivors** – such as making sure services have adequate funding and that staff are trained. Other respondents noted the importance of having clear signposting to services – such as through information about support **online**, through the student **induction process**, through course handbooks and posters on campus. One participant also wrote that services should be **open for longer** and be accessible by email or telephone. The same respondent wrote that university services should be effectively linked up/ connected with those services outside of the university.

## Retention and Attainment

To prevent survivors of sexual violence from **dropping out** it was noted how essential it is to have adequate support services like counselling. One respondent noted that it was important that those in support services have the necessary **training** to support survivors of sexual assault. The possibility of having a **survivors network**, so that survivors '*understand they are not alone and will be able to succeed*' was also raised in the online consultation. In addition, one respondent said it would be useful for the institution to have a **public statement** recognizing the impact experiencing sexual violence can have on students.

Having effective (and quick) procedures for **mediation** was seen as a critical way to prevent drop outs, including having disciplinary and investigatory processes in place. As above, one respondent stressed how it is absolutely necessary that neither individuals **come into contact** with each other before a disciplinary or investigatory process begins. Respondents also identified the need for **adjustments** to be made in terms of the survivors **living arrangements and academic study**. Content warnings on course materials were also suggested by one individual online as a measure which academic departments could put in place so that survivors of sexual violence could '*use the necessary precautions.*'

Specific suggestions were made by a couple of respondents, including, switching colleges (for collegial universities) or switching halls. One online respondent wrote that in cases

where accommodation changes need to be made *'the onus should be on the perpetrator not the survivor.'* Making sure the survivor isn't put in groups/ lectures with their perpetrator was also suggested.

These answers were expanded upon in the following question asking participants to identify measures that institutions and students' unions could have in place **to ensure the academic attainment (grades/ success) of student survivors are not affected**. Measures put forward by participants included **the deferral of modules**, or having a whole year off and making sure students could get **extensions** for their coursework/ other deadlines or have extra time for exams and be able to re-sit. One respondent wrote that survivors of sexual assault should have access to *'continued and long term flexibility of deadlines and exams [...] in order to reduce the need to submit extenuating circumstances over and over when anxiety/depression/PTSD or other sexual violence-related issues affect the capacity to meet deadlines or be around others.'* Lastly, one respondent wrote that it is important for extenuating circumstances to be self-assessed.

### Survivor Safety

Many similar themes emerged in response to how institutions could ensure the **safety of survivors** on campus grounds if the perpetrator is a student or a member of staff. For example, suggestions made were **moving the perpetrator** to a different class or different accommodation or allowing the survivor to switch seminar groups. Appropriate and quick **mediation** was similarly highlighted as important. One respondent noted that **anonymous reporting** may be useful in terms of ensuring the safety of the survivor and students. Another participant said there should be security across campus and phone apps for survivors/ students to contact them.

More stringent measures for perpetrators were highlighted by two respondents online. One individual put that, in order to ensure the safety of the survivor, the perpetrator should be **expelled** (it was not clear whether this would be applied even in cases where an investigation has not taken place). Another respondent wrote that if SUs/institutions become aware of such allegations via a complaint or report they should **suspend** the alleged perpetrators or **place limits on their ability to interact with other students and staff** proceeding disciplinary investigations. For example, through limiting the alleged perpetrator's access to campus by making them work remotely rather than coming onto campus. Other participants said that restraining orders might need to be put in place for the perpetrator.

# Training and Further Support

Students' unions said they wanted the following training or information to help them effectively respond to incidents of sexual violence:

## Training

- Disclosure training
- Unconscious bias training
- Mental health first aid training
- Self-care
- Active bystander training for services and for staff
- Professional training from external agencies on what sexual harassment and assault are and the effects it has on survivors

## Information

- What policies should be in place to effectively tackle sexual violence
- Information about consent to be available (through consent workshops for example)
- What services survivors of sexual violence can be signposted to
- What the disciplinary process should look like
- Information on the legal framework surrounding sexual harassment and assault
- How to collaborate with external agencies such as rape crisis/ external education institutions/ communities that are working on these issues
- How LGBT+ students are affected by sexual violence

## A manifesto for Student Survivor Support

The results from the #StandByMe consultation look at what a holistic approach to tackling sexual violence should look like- ranging from what types of policy need to be in place to what good reporting and disciplinary procedures should look like. Off the back of these findings we have created a manifesto on student survivor support.

For more information about the #StandbyMe campaign please contact NUS' Women's Officer: [susuana.amoah@nus.org.uk](mailto:susuana.amoah@nus.org.uk).

For further information on the results of this consultation, please contact [sally.thomas@nus.org.uk](mailto:sally.thomas@nus.org.uk).

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