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**ERADICATING
SEXUAL VIOLENCE
IN TERTIARY EDUCATION**

**A report from UCU's
sexual violence task group**

December 2021

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Executive summary

Introduction

This report represents the work of 13 UCU members who were convened in September 2020 to examine sexual violence in tertiary education across the UK and inform the union's campaigning and representation of members affected by the issue.

The report reinforces previous research about the worryingly high levels of prevalence of sexual violence in the sector, with a focus on the past five years.

As well as highlighting the severity of the problem in general terms, some of the report's most important findings are about the disproportionate prevalence of sexual violence against groups that are marginalised by employment status or protected characteristics. Precariously employed staff and postgraduate researchers, disabled staff, trans and non-binary staff, and staff whose sexual orientation is not heterosexual are all significantly more likely to have directly experienced sexual violence in the past five years.

Key statistics

- In the past five years, 39% of respondents either directly experienced sexual violence, or witnessed it, or acted as a confidant(e) to someone who experienced it.
- 10% of survey respondents had directly experienced workplace sexual violence in the past five years (12% of women and 5% of men).
- 52% of those who directly experienced sexual violence in the past five years did not disclose or report it to their employer.
- 70% of those who directly experienced sexual violence in the past five years experienced it as an ongoing pattern of behaviour rather than a one-off incident.
- Staff on non-permanent contracts were at higher risk of directly experiencing sexual violence in the past five years (12% vs. 9% for staff on permanent contracts, i.e. roughly 1.3x as likely).
- Staff who are trans and non-binary were at higher risk of directly experiencing sexual violence in the past five years (16% vs. 12% of women, 5% of men, i.e. 1.3x as likely as women).
- Staff with disabilities were at higher risk of directly experiencing sexual violence in the past five years (16% vs. 8% for non-disabled staff, i.e. 2x as likely).
- Staff with a sexual orientation other than heterosexual were at higher risk of directly experiencing sexual violence in the past five years (14% vs. 8% for heterosexual staff, i.e. 1.8x as likely).

The role of UCU

UCU has done and continues to do important work to support survivors and hold employers who protect perpetrators to account. The union is committed to centring organising against sexual violence within our union activities, and to building a trauma-informed union, as an important part of that work. But the role of UCU in challenging sexual violence in tertiary education is also complicated and presents challenges as well as opportunities. Perpetrators as well as survivors may be members of UCU with expectations that the union will represent them, and this can compromise UCU's efforts to prevent workplace sexual violence and achieve justice and healing for those who experience it. The report and its recommendations will be an important point of reference for UCU as the union continues to develop and improve our support for survivors and redouble our efforts to eradicate sexual violence from the workplace.

Recommendations

The report presents a number of recommendations for employers, alongside recommendations for UCU to implement to enhance its campaigning against sexual violence, as well as its support for and representation of survivors. Selected recommendations include:

- Employers should abandon the use of non-disclosure agreements (NDAs) with perpetrators, disclose outcomes of complaints to survivors, and include information about disciplinary proceedings in references provided for perpetrators.
- Employers should recognise that casualisation exacerbates gender-based violence and work with UCU to end it through collective agreements and lobbying for wider policy change.
- Employers should develop policies to allow proceedings against alleged perpetrators to continue after they have left the institution, where necessary and in accordance with the wishes of the complainant.
- UCU should consider withholding at least some forms of representation from perpetrators.
- UCU should provide guidance and support for survivors and union representatives against retaliatory defamation proceedings by perpetrators.

Sources and methods

The findings and recommendations presented are based on a wide range of sources and methods, including:

- A survey of UCU members which received nearly 4,000 responses.
- A survey of UCU reps which received 100 responses.

- A survey of professionals whose work covers this area, including officials in UCU and other campus trade unions, lawyers, and other professionals.
- Follow-up interviews with a number of respondents from the survey of professionals.
- One-on-one conversations with survivors.
- Creative submissions from Survivors Create! Online portal.
- Written submissions from four of UCU's national elected committees.
- Other interviews and meetings with UCU committees, representatives and officials.

Foreword

Sexual violence has no place in our workplaces or our society. But whether we hear it from the headlines of the #MeToo movement or the whisper networks which proliferate in our institutions, it is widely known that the experience of sexual violence remains alarmingly commonplace.

This report highlights just how prevalent the issue is for those working in tertiary education across the UK, particularly for those in marginalised groups. The extensive analysis and wide-reaching recommendations produced herein will serve as a hugely important addition to UCU's work to challenge all forms of sexual violence, building carefully on the union's previous work in this area.

When I ran for the position of general secretary in 2019, a key plank of my manifesto was the creation of dedicated task groups to address some of the biggest issues facing UCU members. I was always clear that sexual violence should be the focus of the first such group, and this report shows not only why that was such an important priority, but also the valuable contribution which initiatives like this can and do make to the union's work.

I would like to thank all 13 members of the task group for their steadfast work in bringing the report to fruition, with particular thanks to Lesley Macmillan for steering the group in her role as chair.

We are also hugely grateful to all those whose pioneering work to highlight the prevalence of sexual harassment and violence has laid important groundwork for this project. I would especially like to mention Dr Anna Bull and the 1752 Group whose tireless campaigning has articulated the need for robust and urgent action to address sexual violence in higher education.

The work of the task group could not have taken place without vital support and input from various officials, professionals, branches and committees who have helped to inform the findings. I would like to pay particular tribute to Emma Nagouse, Nick Hardy, Maureen McKenzie, and all the UCU staff who have worked closely with the group to support its work and outputs. Thanks are also due to Dr Muna Abdi who provided invaluable inputs and training for task group members at the outset of the project.

Finally, I would like to thank every single survivor and witness who has spoken out about their own experience to inform the work of the task group. I am determined that UCU will listen and learn from the task group recommendations so that whilst we hold employers to account,

we can also adopt a truly survivor-centred approach, informed by best practice, and continue our work to the tackle the scourge of sexual violence with confidence and compassion.

Dr Jo Grady
UCU general secretary
December 2021

1. Introduction

This report presents the key findings from a collaborative project on sexual violence in the tertiary education sector in the United Kingdom, and the ways in which the University and College Union—in liaison with institutions—has addressed this issue, and makes recommendations based on these explorations.

1.1 Purpose, remit, and membership of the group

The UCU sexual violence task group (hereafter, ‘the task group’) is the first of a range of time-limited, member-led task groups which aim to inform the union’s campaigning on a particular issue. The task group comprises members with varying academic and activist expertise, knowledge and lived experiences that position it to provide what the UCU general secretary’s election manifesto described as ‘research-informed, and experience-based solutions to the problems we face’ (Grady, 2019). The task group worked for roughly 12 months from September 2020 and were supported in their work by UCU staff (principally, Emma Nagouse and Nick Hardy).

The group’s members were:

- Carola Addington
- Sundari Anitha
- Vicki Baars
- Katy Day
- Zanne Domoney-Lyttle
- Julia Downes
- Jayne Gillies
- Meriam Mabrouk
- Emily Marlow
- Naomi McGookin
- Lesley McMillan (chair)
- Nina Reece
- Vanita Sundaram

1.2 Scope of the work

Employers’ handling of issues relating to sexual violence is relevant to the work of UCU, regardless of whether the involved parties are staff, students or visitors. While sexual violence in tertiary education impacts people from all backgrounds and positions in our communities, the group’s focus has been on staff represented by UCU.

The task group focused on instances of sexual violence where an employee is involved as a survivor¹ or perpetrator. Recognising the work already undertaken in the area, and the remit of other organisations such as the National Union of Students (NUS), instances of gender-based violence exclusively between students are not within the remit of the task group.

At the same time, the task group recognises that the boundaries between staff and students in higher education can be blurry, and experiences of sexual violence between students when at least one student is also an employee and their experience relates to their role as an employee (e.g. postgraduate students who are also graduate teaching assistants) were included. The group also investigated and reports here on postgraduate researchers' (PGRs') experiences of sexual violence from staff, noting that after the group began its work, UCU launched its campaign for PGRs to be recognised as staff.

The internal cultures and practices of UCU in relation to sexual violence cannot be separated from how UCU interacts with our institutions in relation to sexual violence. Therefore, the task group also offers findings and recommendations about UCU's own culture, operations, and democratically agreed policies and procedures.

1.3 Programme of work and terms of reference

The task group considered five points of focus:

1. Identify areas of best practice in the sector relating to sexual violence.
2. Examine the extent to which non-disclosure agreements in particular and settlement agreements in general are used in cases related to sexual violence.
3. Explore how shared referencing protocols could be established across the sectors.
4. Develop a set of recommendations related to appropriate sanctions for instances of sexual violence.
5. Explore how informal solutions to sexual violence can be developed in line with the wishes of survivors, in a way which protects their choice and control.

1.4 Definition of sexual violence

The task group understands sexual violence as an aspect of gender-based violence (GBV), that is as 'behaviour or attitudes underpinned by inequitable power relations that hurt, threaten

¹ We use the term survivor and victim throughout this report, recognising that some may identify with one or other term, both, or neither.

or undermine people because of their (perceived) gender and/or sexuality' (Anitha and Lewis, 2018).

Women and girls constitute the vast majority of victims of gender-based violence, and men the overwhelming majority of perpetrators (Watts and Zimmerman, 2002; Hester, 2009). This does not mean that these roles are never reversed, but it is necessary to recognise a link between gender-based violence and the gendered norms, behaviours or roles that are associated with being a woman and that often lead to diminished power in workplaces, in the domestic sphere, and in wider society.

It is equally necessary to recognise that trans and non-binary people are often subjected to violence as a direct result of rejecting socially constructed gender norms and societal assumptions about biological sex. 2021 has been the deadliest year yet for trans and gender-diverse people, with 375 killings recorded globally, an increase of 7% since 2020 (TGEU, 2021).

GBV includes a continuum of behaviours and attitudes such as (and not limited to) domestic violence, sexual assault, sexist harassment on the streets and online spaces, trans/homophobic expressions and behaviours, and expressions on social media which normalise sexism and sexual objectification.

We recognise that sexual violence is not a legal term, but is used here as an umbrella term to describe various sexual offences. We use the term sexual violence to include rape, sexual assault, stalking, revenge porn, as well as a range of everyday behaviours in the online and offline world. This comprises but is not limited to 'whistling, catcalling, sexual comments, sexual innuendo, telling sexual jokes and stories, spreading rumours about a person's sex life, non-verbal harassment such as looking someone up and down, displaying pictures of a sexual nature, sending unsolicited communication containing sexual content, making sexual gestures, asking for sexual favours, and physical unwanted sexual advances such as kissing, touching, hugging, stroking, patting of someone's clothes, body, hair, and rubbing up against someone, where the touching is sexual' (UUK, 2016).

Under section 26 (2) of the Equality Act 2010 one type of sexual violence, sexual harassment, is defined as 'unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment'.

Using the term 'sexual violence' for these different behaviours does not mean equating them nor suggesting that the same sanctions should apply in relation to all these harms. We draw upon Kelly (1988: 41) to recognise that sexual violence can affect the survivor either at the

moment of the offence or later ‘as a threat, invasion or assault, that has the effect of hurting [...] or degrading [them] and/or takes away [their] ability to control intimate contact’.

As feminist scholars, practitioners and activists, we understand violence as a gendered phenomenon in terms of perpetration and victimisation patterns, as well as recognising gender itself as the basis upon which violence may be perpetrated. In other words, violence is both directly and indirectly gendered. People of a certain gender are subject to forms of violence that relate directly to that gender, including sexual violence. At the same time, their gender may also make them disproportionately likely to experience other, less overtly gendered forms of violence, e.g. non-sexual physical assault or verbal abuse.

We draw on Crenshaw’s (1989) concept of intersectionality to understand the ways in which gender intersects with other forms of marginalisation in people’s experiences of violence. While acknowledging the gendered nature of sexual violence, we are also aware of how gender intersects with the structures of institutional racism, homophobia, ableism and transphobia within the academy. People at one or more of these intersections of oppression—for example, those who are racially minoritised, disabled, trans, queer and non-binary people and women—are more likely to experience sexual violence and do so in a uniquely oppressive manner (Imkaan, 2016; Stonewall, 2018). Finally, in line with research from the 1752 Group², this task group notes that sexual violence contributes to the prevention of equal access to both education and employment.

This understanding of GBV and sexual violence is especially important to our work in making recommendations about preferred and best practices in tackling violence in tertiary education institutions. Many existing models assume a universal position from which violence can be addressed. For example, in bystander intervention models, the notion that a potential victim and potential active bystander might share vulnerability characteristics is very rarely recognised (Sundaram, Shannon, Page and Phipps, 2019). Some common models offered for intervention may therefore be unrealistic and potentially risky for some groups or individuals to engage with.

1.5 Underlying principles

There are few precedents for work of the type undertaken by this task group: collaborative inquiry on behalf of a trade union by a group of academics, survivors, creatives and professionals where the only commonality was an interest, either professional or personal, in

² The 1752 Group is a UK-based research, consultancy and campaign organisation dedicated to ending staff sexual misconduct in higher education, see <https://1752group.com/>

a particular topic (in this case, a type of violence). Our methods, practices, principles and ideas developed organically, discursively, through collaboration and experimentation. As such, the principles listed here are less a collection of terms formally agreed upon at the outset, but more a reflection of the shared values that have threaded through our discussions and underpinned our work:

- Feminist
- Trauma informed
- Survivor-centred
- Anti-oppressive
- Collaborative
- Interdisciplinary

1.6 Ethical basis for our work

The approach outlined here recognises the boundaries of our work in this task group. Our work is underpinned by a feminist approach to understanding and responding to violence as outlined below. The specific remit of the task group's work is to explore current employment practices in relation to sexual violence and to offer a set of recommendations for best practice based on data collected, and informed by the experiences and wishes of survivors. The methodology employed by the group reflects this remit.

Our work is informed by the principles that underpin research in the social sciences and humanities, and throughout we sought to have a 'principled sensitivity to the rights of others' (Bulmer, 2001: 45). Our ethical approach is heavily informed by work done by feminist scholars of gender-based violence including Downes, Kelly and Westmarland (2014). They argue that it is important to challenge the predominant perception of violence research as necessarily 'sensitive' and of victim-survivors participating in such research as unilaterally 'vulnerable' in order to disrupt negative perceptions of this group as implicitly 'deficient' or as lacking capacity to consent to participating in research. We are committed to ensuring that the voices of survivors are heard, and that their experiences inform our understanding of the problem, as well our imaginings of potential responses to it by UCU and tertiary education institutions.

1.7 Limitations

Our work does not represent an attempt to fully analyse prevalence or incidence of sexual violence in tertiary education, or a detailed understanding of the wide range of experiences that survivors of sexual violence in tertiary education may have.

The task group has conducted this work within a restricted time and in the context of the COVID-19 pandemic, which meant that it had to deal with delays to work caused by extra caring responsibilities, sickness absences and other unforeseeable developments while accommodating the varied locations of its members through online collaboration. A number of areas have been identified in the recommendations as particularly worthy of further work to build on the insights presented here—in particular the relationship between sexual violence and precarious employment practices.

1.8 Summary of contents

The **next section** of the report outlines the existing scholarship and the research methods. **Section 4** presents the findings of the members' survey on the nature and prevalence of sexual violence in the workplace, the impact of this violence and responses to it by survivors. **Section 5** provides an overview of the prevailing organisation culture within tertiary education institutions and the union. Subsequent sections (**6, 7, and 8**) trace the various stages in the journey that a survivor of sexual violence takes as they seek redress and justice, and the role of their institution and the union in this journey. We explore the three stages of disclosing and reporting sexual violence, complaints processes and investigations, and sanctions and resolutions. **Section 9** explores alternate forms of survivor-centred justice and redress. The **final part** of this report outlines our recommendations for union organising and campaigning. Collectively, we look forward to seeing how this will be developed and taking part in that development wherever possible.

2. Literature review

2.1 Prevalence of sexual violence in further education and higher education

2.1.1 Sexual violence and harassment in tertiary education

In the UK context, most research on sexual violence in further and higher education has focused on student-on-student violence. It is well-established that student-on-student violence is prevalent in university contexts; the NUS surveys in 2010, 2013, 2014 and 2019 have shown that a wide range of forms of violence takes place in further education and higher education.

The *Hidden Marks* (2010) survey showed that two-thirds of women students had experienced a form of harassment and one in seven had experienced serious physical or sexual assault. The *Lad Culture* survey (2014) which included men and women respondents found that one-quarter of students had experienced unwanted sexual advances, two-thirds had witnessed other students being subjected to unwanted sexual advances and two-thirds had overheard rape jokes and degrading or violent language being used about women in their university communities. The NUS study of sexual violence in further education (2019) found that half of respondents had experienced unwanted sexual advances and more than one-third of these were received via social or digital media. Nearly one-third had received unwanted sexual images. In all of these studies women were significantly more likely than men to report having experienced violence or sexual harassment and to have been negatively impacted by it.

Sexual violence in student communities is not a UK-specific phenomenon. Multiple studies in the US have shown similar prevalence rates of sexual violence in university communities (Fnais et al., 2014; Henning et al., 2017) and recent research in Australia (AHRC, 2017) showed that nearly half of university students reported experiencing sexual harassment or violence in the past year and that women, LGBTQ students and racially minoritised students were more likely to be victimised.

It is well known that LGBTQ students are disproportionately vulnerable to sexual harassment and violence in universities. A 2006 survey in the US found that 73% of LGBTQ students had experienced sexual harassment compared with 60% of non-LGBTQ counterparts (Hill and Silva, 2006). In a more recent study, DeKeseredy et al. (2017) found that 40% of LGBTQ college students reported a form of sexual assault compared with 23% of heterosexual students. We also know that Black students and other racially minoritised students are more likely to be targets of 'laddish' practices.

This pattern is mirrored in further education settings, where LGBTQ students are more likely than those defining as heterosexual to have experienced being pressured into a sexual or romantic relationship. Bisexual respondents were significantly more likely to report having experienced unwanted sexual comments and remarks via social media more than five times.

More recently there has been a turn towards understanding how staff may be perpetrators of sexual violence and harassment towards students and other staff members in university and further education settings. Bull and Rye (2018) have shown that staff-on-student sexual misconduct covered a range of forms of abuse, from unwanted touching at work, sexualised comments or messages via phone or on social media, surveillance and stalking, and sexual assault. The NUS *Power in the Academy* (2018) study found that 41% of student respondents had experienced at least one instance of sexualised behaviour from university staff. The NUS study of sexual violence in further education (2019) found that 9% of respondents said that unwanted sexualised behaviour was received from a figure of authority (such as a boss or tutor). Further, 4% of respondents said they had been pressured into a relationship and threatened for being sexually uncooperative by an authority figure. In the US context, 9% of all respondents in the AAU survey (Cantor et al., 2019) reported experiencing sexual harassment from a member of faculty, a figure which rose to 22% among female graduate students. Bull (2019) has argued that a disclosure or report about an individual staff member can point to a wider safeguarding issue, on the basis of research from the US and the UK which shows that many staff members engaged in sexual misconduct are, in fact, serial perpetrators.

In the context of lad cultures within student communities, everyday forms of sexual violence such as sexual harassment can be perpetrated by male students against female and LGBTQ+ fellow-students as well as directed at staff in teaching and learning contexts (Jackson and Sundaram, 2020; Jackson and Sundaram, 2015). Such sexual violence replicates women workers' experiences of sexual violence in the service sector, where employers may not take adequate steps to protect them from sexual violence by customers (Wolkowitz, 2006). This issue may have been exacerbated in recent times by neoliberal turn whereby students are increasingly perceived as customers in the market for higher (not so much for further) education. Despite the recognition of this issue in the US and elsewhere (Bondestam and Lundqvist, 2020; Henning et al., 2017; Kirkner et al., 2020), there has been little attention to this problem in the UK context.

In a context of increasing attention to the problem of sexual violence within the workplace following the #MeToo movement, this issue has been taken up by a number of trade unions in the UK and beyond. One of the first studies on workplace sexual harassment in the UK further and higher education sector was conducted by UCU in 2016 (Griesbach, 2016). 54%

of the 1950 women members of UCU who responded to the survey reported personal experience of some form of sexual harassment at work, though the period when this took place is not specified. The most common forms of sexual harassment were unwelcome or derogatory comments about their appearance or clothing (experienced by 57%), followed by leering and suggestive gestures and remarks (42%) and physical contact such as the invasion of personal space and unnecessary touching (38%). Two-thirds (66%) of respondents reported having been sexually harassed by a colleague, while just over a quarter (27%) by a student.

In 2019, #ThisIsNotWorking—a coalition led by the TUC and comprising over 30 trade unions and other civil society and business organisations—called for the UK government to take all reasonable steps to protect workers from sexual harassment and victimisation. This initiative responds to the gaps in existing protections under the Equality Act 2010 relating to sexual harassment, which require an act of harassment to have taken place before an individual can bring a legal claim in an employment tribunal. Noting the limits of individualistic mechanisms for redress in changing broader workplace cultures, the coalition has called on the government to place a statutory duty on employers to take steps to prevent harassment or victimisation in the workplace.

2.1.2 Response and support

Institutional models for ‘changing the culture’ are inconsistent between further education institutions and universities. As Universities UK (UUK) has noted, the decentralised nature of many universities in the UK can restrict an effective, supportive and transparent response across universities (UUK, 2016: 32). Effective response can often depend on the knowledge and understanding of the particular member of staff the survivor discloses to. Culture change is necessary in order to develop communities that reject sexism and gender-related harassment and violence and that offer consistent and meaningful response and support to survivors.

Institutional response can take a number of forms, including case management, education for staff, and support structures. Research evidence suggests a persisting lack of effective institutional response mechanisms, or case management procedures. Most response frameworks are centred around reporting of sexual harassment, rather than strengthening the rights of survivors or adopting a survivor-informed framework for support or redistributive justice (Bondestam and Lundqvist, 2020). In fact, student survivors are often excluded from the disciplinary processes that purport to resolve their complaints. Only a small proportion of all sexual harassment is formally reported, and far more frequently, formal reports are not made either through the workplace or through external structures. This suggests that the existing response systems and organisational cultures do not facilitate

reporting despite sector-wide and institutional investment in updating reporting systems (UUK, 2016).

Support and follow-up care for survivors is key to a survivor's experience of disclosure. Institutional support structures are rarely trauma-informed and tend not to be shaped around transformational justice for survivors. Institutional responses have been criticised for upholding particular hierarchies of power that enable sexual harassment, rather than seeking to dismantle these (Phipps and McDonnell, 2021). A more 'kaleidoscopic' form of justice (McGlynn and Westmarland, 2019) which acknowledges the range of solutions that survivors may seek, and which recognises justice as a process rather than a binary outcome is rarely reflected in institutional structures. However, research and activist praxis that centres survivors has demonstrated that survivors' wishes and needs often exceed or conflict with the 'one-size-fits-all' punitive approach which is typically on offer from the criminal justice system. For instance, a US-based survey found that most crime victims supported investment in prevention, rehabilitation, and repair, rather than imprisonment (Alliance for Safety and Justice, 2016; see also Sered, 2019).

Feminist research with victim-survivors of gender-based violence has highlighted survivors' diverse perceptions of justice that map onto a need for an expansion of responses. Needs and perceptions of justice included self-determination and control, meaningful consequences, recognition by the community, dignity, voice, prevention, repair, support and connection (Herman, 2005; Jülich, 2006; McGlynn et al., 2017; McGlynn and Westmarland, 2019; Gangoli et al., 2020).

Restoring connection and meaning within the wider community has been argued to be central to sexual violence survivors' recovery. For instance, Judith Herman has explained that survivors 'find this meaning by joining with others in social action [...] In refusing to hide or be silenced, in insisting that rape is a public matter, and in demanding social change, survivors create their own living monument' (1992: 73). Possibilities of community activism can therefore offer survivors useful ways to recover and heal from trauma. Taking action to address violence as a collective rather than an individual issue is echoed in longstanding activist labour in building community accountability and transformative justice responses to harm in movements for disability justice, LGBTQ communities and Black lives (Russo, 2019; Dixon and Piepza-Samarasinha, 2020; Kaba, 2021). The potential of transformative justice approaches in ending sexual violence and meeting the needs of diverse survivors within higher education communities has only been recently explored (see Méndez, 2020). As the national union for tertiary education, UCU holds power to influence a collective transformation of university and college communities to better meet the needs of survivors and work towards a long-term vision of ending sexual violence within these spaces.

Key to feeling supported is also an empathetic and supportive response to a disclosure, and this is something that requires education and training of staff across the institution. Global evidence shows that successful educational interventions to prevent and reduce gender-related harassment and violence must address key risk factors for perpetration (Jewkes, Flood and Lang, 2015). These include centrally addressing gender norms, including norms for masculinity; the direct involvement of boys and men in violence prevention; acknowledging structural inequalities including inequalities of gender, race and other marginalised characteristics that contribute to violence; the adoption of an ecological approach that addresses gender (and other) inequality at all levels (in this case, of the organisation). Very few—if any—training models exist for further and higher education that articulate a clear theory of change model, or that are premised on most of these factors.

One element of developing more inclusive education communities is targeted education, or training, of staff and students working, studying and living within those communities about the underpinning causes of gender-related harassment and violence, its impacts on survivors, and how to support those who have experienced harassment or violence. In further and higher education, this form of education primarily exists in two areas of training: bystander intervention and first responder training. The use of training models across universities is similarly inconsistent with variable take-up and variation in the type of training offered. However, the pathways for fostering culture change are not always clearly theorised or evidenced. There is evidence of positive short-term effects of training on sexual harassment on participants' attitudes; however, little evidence exists to show longer-term effects on the prevalence of sexual harassment (Bondestam and Lundqvist, 2020).

A key limitation of existing training models is the lack of intersectionality as an embedded component of interventions, not only within workplaces but also within the trade union movement and the political landscape of the wider British left in which UCU is situated. Activist-scholars have examined mechanisms that operate in the British left to exclude and marginalise the contributions of 'minority women' (Bassel and Emejulu, 2018), feminised, trans and non-binary individuals (Coleman and Bassi, 2011) and survivors of gender-based violence (Downes et al., 2016; Downes, 2017). Survivors' public accounts and testimonies of violence and abuse perpetrated by high-profile white male leaders (e.g. associated with the Socialist Workers Party and National Union of Rail, Maritime and Transport Workers), coupled with patterns of mishandling survivors' complaints, are experienced as a painful impasse in the British left. This has led to contentious debates about the costs and consequences in developing and practising survivor-centred responses to gender-based violence outside of state structures, including safer space policies, community accountability approaches and models of transformative justice (Downes, 2017, 2019).

3. Methodology

3.1 Introduction

The work of the task group has involved evidence collection in a number of forms including a review of existing literature and policy documentation and the collection of new primary data, all undertaken to meet the aims and remit of our work. At the outset of our work we defined our remit and scope; attended the training on sexual violence provided by UCU and external training on anti-oppressive practice and collaborative research; reviewed existing UCU policies such as those on equality and diversity, GBV, data protection and privacy; and explored guidance for branches and research that UCU has previously provided in this area (Griesbach, 2016).

A review of relevant scholarly research, 'grey' literature in the form of policy documents and reports, and published sector guidance was conducted to inform our work, identify gaps, and prevent unnecessary duplication of effort. Following this, a thorough mapping exercise identified areas where primary data collection was necessary to deepen our understanding of sexual violence in the tertiary education sector and provide evidence to support our aims and objectives.

3.2 Methods of primary data collection

The task group designed and developed a range of techniques for the collection of new primary data to elucidate our understanding of sexual violence in the tertiary education sector and in line with our task group remit. These included: meetings with relevant regional and head office staff within the UCU; surveys of members, of branch reps and of professionals whose work addresses sexual violence in tertiary education; structured conversations with survivors and professionals; creative submissions from survivors; and written evidence submissions.

3.2.1 Evidence submissions and key informants

The task group invited evidence submissions from UCU's equality standing committees and special employment interest group committees:

- Anti-casualisation committee (ACC)
- Academic-related and professional services committee (ARPS)
- Black members standing committee (BMSC)
- Disabled members standing committee (DMSC)
- LGBT members standing committee (LGBTMSC)
- Migrant members standing committee (MMSC)

■ Women members standing committee (WMSC)

Four committees responded: ACC, ARPS, DMS, and MMSC. Responses were considered and insight and quotations from them are included in this final report.

A number of key stakeholders were invited to meet with the task group to address specific areas of interest including a number of UCU staff, representatives and caseworkers involved in sexual violence and misconduct cases, some of whom had experience of representing survivors or perpetrators and some of whom are responsible for training design and delivery.

3.2.2 Surveys

The task group designed and administered three separate surveys to collect data to address the group's remit. The surveys were piloted, refined and then distributed electronically via mailing lists, social media and/or convenience and snowball sampling as described below. The surveys were hosted on UCU's survey platform Alchemer.

Members' Survey

A survey was designed by the task group and distributed to all UCU members via the members' mailing list. Invitations to participate were sent three times, and the survey was highlighted in UCU newsletters and through social media in order to reach as wide a sample as possible. The survey comprised of both closed and open questions covering demographic questions, professional background and experience in tertiary education, and views on and experiences of how institutions and the union approaches and responds to sexual violence. The first section, for all respondents, comprised 22 questions.

A second section of the survey comprising a further 22 questions specifically for those who had experienced sexual violence or sexual misconduct in the tertiary education sector asked about experiences and how they were responded to by both institutions and the union.

A total of 3851 responses were received to the first section of the survey, and 271 members completed the second section.

Branches Survey

A survey was designed for branch representatives to complete. An email inviting participation was sent to UCU's 'branch contacts' mailing list. This list includes those who have specified roles within branches such as committee members, representatives and caseworkers. Two further follow-up invitations were sent. A total of 100 individuals completed the survey. Data about which branch individuals represented or what specific role they had within the branch

were not collected to enable the respondents to participate in the survey without fear of being identified.

The survey comprised 48 questions covering experience and opinions of institutions' and UCU's response to sexual violence, including visibility, training, support, reporting and complaints, areas of good practice and what might be done better.

Professionals' Survey

A survey for professionals working in the area of sexual violence in the context of tertiary education was developed by the task group and subsequently advertised to potential respondents by UCU via email, social media and on the UCU website. Individual task group members also promoted the survey through social media, mailing lists and at conferences. The aim of the survey was to gather evidence about participants' professional experiences, challenges they faced, and opinions on how the tertiary education sector currently approaches cases of sexual violence and how, in participants' opinions, they might improve these approaches. The survey presented a mixture of 19 open and closed questions covering the following key areas of interest: challenges faced by participants; institutional policies and processes; sanctions; data sharing; shared referencing; investigations; use of non-disclosure agreements; and the factors influencing decision-making and practice in this area.

The survey generated responses from 23 participants from a range of professional roles including: student support professionals; academics whose research is focused on sexual violence; UCU officials; specialist investigators; human resource professionals; and legal practitioners. Collectively they provided insight based on significant professional experience of sexual violence in the tertiary education. The majority of respondents had advised and/or represented individuals who have raised complaints about sexual misconduct as well as given advice about policies and processes to an institution (as distinct from advice about a specific case). More than half of respondents had also produced advice or guidance relating to sexual misconduct for the tertiary education sector and/or implemented changes at their own institution in relation to sexual misconduct. For this survey we were unable to get responses from professionals working in the further education or prison education sectors, apart from UCU officials who have experience of representing members in those sectors.

3.2.3 Conversations

Survivors

Survey respondents who indicated that they had experienced sexual violence in their survey responses were offered an opportunity to talk further with a member of the task group. This was offered on an opt-in basis and involved the respondent entering an email address to

receive further information. Each person who entered a viable email address was contacted and provided with a participant information sheet describing what the process of a conversation would involve, our approach to confidentiality and anonymity and to provide sufficient information for informed consent.

For those agreeing to participate, survivor-centred conversations were carried out online using digital communication platforms (e.g. Zoom, Microsoft Teams) and informed by guidance on doing research within the COVID-19 pandemic (UK Research Integrity Office, 2020). Email communications with survivors were trauma-informed and prioritised the wellbeing of survivors including clear communication of what to expect and how to prepare for the conversation (e.g. mindfulness, privacy and what questions would be asked). Information about support services was shared with all survivors and task group members signposted survivors to further support if needed. In recognition of the additional burden of carrying out one-to-one work with sexual violence survivors in domestic spaces (Gunby et al., 2020), task group members involved in survivor-centred conversations met regularly to debrief and were offered access to counselling provision if required.

Sixteen survivors confirmed that they would like to take part via the survey, and two further survivors emailed the task group directly. A sufficient sample was achieved to not necessitate a second approach to those who had not responded. However, due to low numbers of racially minoritised survivors in this initial sample, any racially minoritised survivors who initially indicated interest in receiving further information were re-contacted by task group members who themselves had racially minoritised backgrounds.

A total of fifteen survivor-centred conversations were carried out. None of the conversations was recorded. Seven open-ended questions and prompts were used in the conversations (see Appendix C) and survivors were encouraged to speak about what they felt comfortable sharing with us. Conversations varied in length from one to two-and-a-half hours. Notes were typed up, checked, and approved by survivors to ensure accuracy and anonymity.

Professionals

Seven tertiary education sector professionals spoke to the members of the task group about their experiences of working in an area related to sexual violence. Professionals were recruited through both the professionals' survey where respondents were invited to provide an email address to schedule a conversation with a member of the task group, or they emailed the task group directly to request to participate. Six conversations were carried out on a one-to-one basis, and in one conversation one task group member spoke to two professionals together. Conversations were not recorded but comprehensive notes were taken. Participants had the following professional roles: investigative interviewing and training

professionals; trade union officials; support and development managers; academic staff with expertise in gender-based violence; and policy professionals in higher education.

3.2.4 Survivors Create! Portal

Survivors of sexual violence were offered further opportunity to share their experience of sexual violence and any response to it through an online web-based portal. The portal, hosted by UCU and called Survivors Create!, allowed information to be submitted in a variety of formats (including PDF, .doc, .txt, .jpg, .gif, .png, .mp4, and .wav) to provide as much flexibility as possible for survivors to upload information in whichever way best met their needs. This allowed for written testimonials, voice clips, images and other creative outputs and speaks to the inclusive approach the task group has sought to facilitate.

The portal had four prompts which survivors were encouraged to respond to: support; safety; wishes and needs; and a survivor-centred trade union. It was made clear that the portal was not a way to make an official report or complaint to UCU, and that submissions to the portal would only be used to inform the work of the task group.

There were seven submissions. Two were in the form of poems; one was a long-form blog post; and four were written testimonials detailing the experience and impact of sexual violence. The submissions varied in length and detail. Given the variety of material received, submissions were not subject to a structured analysis, but considered in relation to the overall aims of the task group.

3.3 Analysis

3.3.1 Quantitative analysis

Data gathered through closed questions in the three surveys we administered were analysed quantitatively using descriptive statistics. Survey data were cleaned, and returns with no data were removed. Initial descriptive analysis including count and proportion was provided through the reports from the survey platform Alchemer, which was sufficient to allow meaningful analysis for both the branch survey and the professionals' survey, neither of which included data where comparison between groups was needed.

The members' survey was initially analysed using descriptive data in reports generated by Alchemer, and then following an initial review, data were downloaded to SPSS (Statistics Packages for the Social Sciences, IBM) for additional descriptive analysis. This allowed for comparison between groups, and between variables, and facilitated recoding of variables where data was too widely spread to allow for meaningful analysis. Frequency counts and crosstabulations were used in the most part, with chi-square analysis used to explore whether

relationships within the data were statistically significant. The data collection methods used do not produce a representative sample, therefore findings represent those who completed our surveys and not a wider population.

For all surveys, not all respondents completed every question, therefore the total number of responses for each question varies. Percentages represent a proportion of those who answered the question rather than the total sample. Where percentages have a decimal point, they have been rounded down if below 0.5, and rounded up if 0.5 and above. As such, totals may not always sum to 100.

3.3.2 Qualitative data analysis

The sources of qualitative data that were gathered – conversations with professionals and survivors, and open-ended questions in surveys – were analysed using thematic analysis (Braun and Clarke, 2006). Braun and Clarke describe thematic analysis as follows:

Thematic analysis is a method for identifying, analysing and reporting patterns (themes) within the data. It minimally organises and describes your data set in (rich) detail. However, frequently it goes further than this, and interprets various aspects of the research topic (79).

A central characteristic of thematic analysis is identifying themes within the data. Braun and Clarke provide the following definition of a ‘theme’:

A theme captures something important about the data in the relation to the research question, and represents some level of patterned response or meaning within the data set (82).

This approach enabled the task group to collectively identify patterns and generate themes that resonated with the key areas of investigation. As such, the qualitative data were analysed with the aims and objectives of the task group in mind or in other words, what the data revealed about the structures, processes and phenomena of interest.

3.3.3 Triangulation

Themes from across the range of data collection methods were brought together and analysed by the task group as whole and then further analysis was conducted by specific thematic working groups to identify points of consensus as well as any divergent perspectives. Using this collective body of evidence, the group worked together to produce a series of recommendations.

3.4 Ethics

The ethical principles underpinning our work as a whole have been outlined in the introduction and these framed our conduct while engaging in all task group work. In addition, for the purposes of data collection and analysis we were also cognisant of ensuring our ethical responsibilities in relation to: informed consent; inclusivity and accessibility; awareness of the sensitive and traumatic nature of our area of inquiry; privacy, anonymity and confidentiality; and data protection.

To ensure informed consent, all potential participants were provided with a detailed information sheet about the work of the task group, the specific data collection tool they were being asked to participate in, what was being asked of them and any risks or opportunities, how their data would be used, stored, and by whom, and they were informed they were under no obligation to participate.

As part of our pilot processes, all data collection instruments were reviewed to ensure accessibility and inclusivity in relation to disability and protected characteristics. Multiple routes to submit information to the task group were also provided to allow for preferences to be exercised. All surveys could be completed anonymously and no computer IP addresses were collected; respondents were informed that this prevented us removing their data once it was submitted. Where any qualitative responses, collected through any data collection tool, had the capacity to identify someone or allow for deductive disclosure, information was either redacted or not used.

Throughout, the task group has been very much aware of the sensitive and traumatic nature of sexual violence for many, while also recognising capacity for survival, resistance and agency. All participants approached to participate in surveys, conversations, or Survivors Create! were provided with a comprehensive list of support services covering all four UK nations should further support be needed. They were also advised they could make contact with UCU if they wished. This advice was provided irrespective of whether someone chose to participate or not.

3.5 Data storage and protection

All the data collected by the task group is governed by UCU's privacy policy (UCU, 2021a). Data was stored by UCU and task group members on password-protected encrypted IT equipment and in compliance with the General Data Protection Regulation. Data will be retained for six years, whereupon it will be securely destroyed. The data controller is UCU.

4. Sexual violence in the workplace: experiences of staff in tertiary education institutions in the UK

4.1 Key finding: sexual violence is commonplace

The members' survey found that sexual violence is a widespread workplace issue in tertiary education settings and networks. Sexual violence was encountered in the working lives of a substantial proportion of UCU members who took part in the survey. In the past five years, 39% of respondents either directly experienced sexual violence, or witnessed it, or acted as a confidant(e) to someone who experienced it.

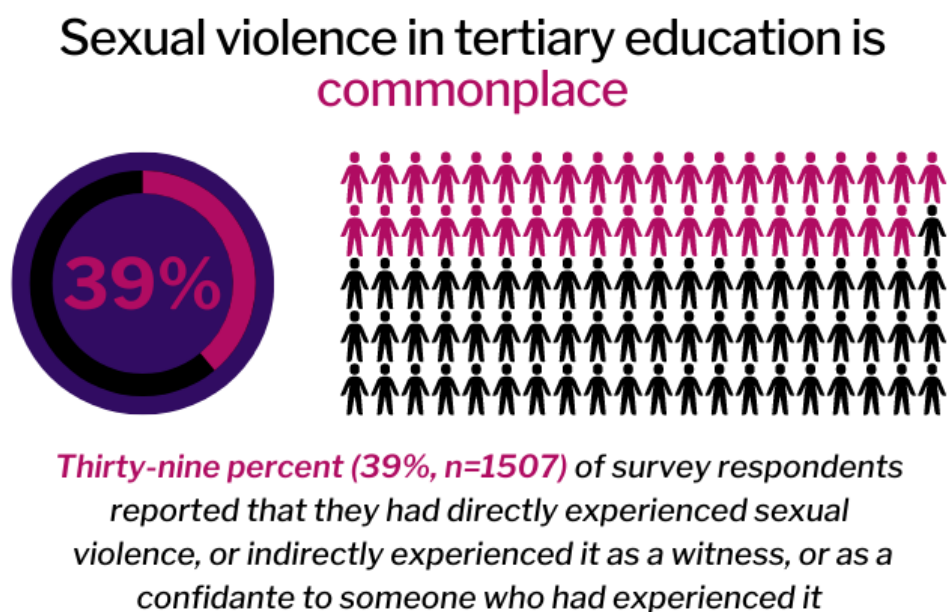


Figure 1: Sexual violence in tertiary education is commonplace

For instance, 24% of respondents reported that they knew someone who had experienced workplace sexual violence and 5% disclosed that they had witnessed workplace sexual violence happen to someone else.

These findings suggests that encounters with sexual violence in tertiary education workplaces are commonplace.

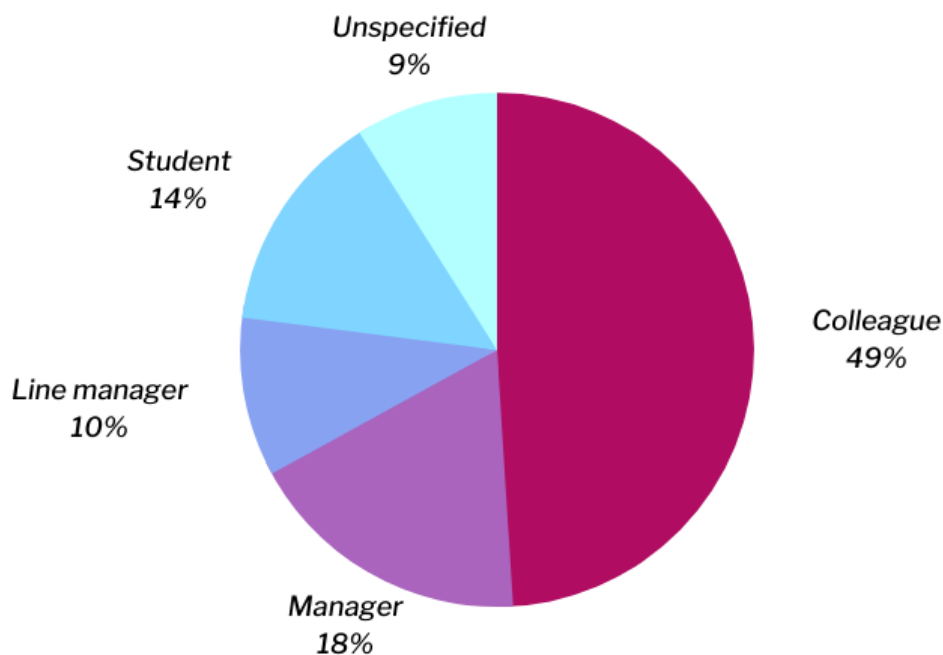
Members with direct experience of workplace sexual violence in the last five years (since January 2016) constituted 10% of survey respondents, with 9% reporting direct experience that happened more than five years ago. Within this group of members with direct experience of sexual violence 11% (n=40) had experienced some form of sexual violence both within the

last five years and more than five years ago, which is an indicator of repeat or multiple victimisation.

Most members who experienced sexual violence were assaulted by a colleague (49%, n=134), 18% (n=48) were assaulted by someone in a position of managerial responsibility, 10% (n=27) for whom it was their line manager. A further 14% (n=37) were experiences of sexual violence perpetrated by a student, a member of the public (4%, n=11), other (14%, n=39) and 1% (n=2) did not know who the perpetrator was.

The majority of respondents decided not to report sexual violence to their employer. A total of 52% (n=139) did not disclose or complain about the abuse to their employer, and the remaining 48% (n=127) indicated that they did report it.

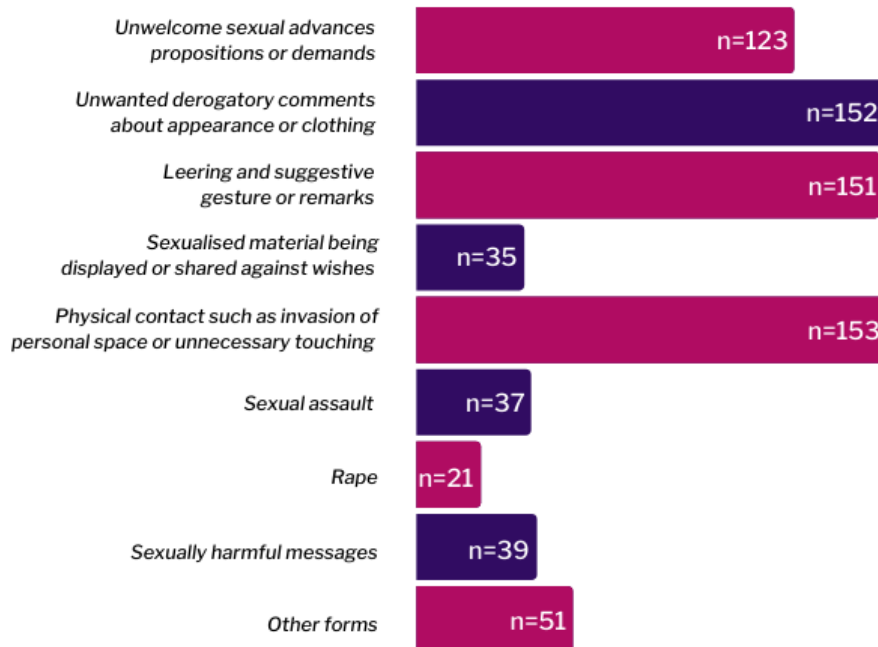
The majority were assaulted by a colleague, and did not disclose or complain about their abuse to the employer



49% (n=134) respondents were assaulted by a colleague; moreover 52% (n=139) did not report their abuse to their employer and remaining 48% (n=127) did report it

Figure 2: The majority were assaulted by a colleague, and did not disclose or complain about their abuse to the employer

Sexual violence is a **sustained pattern of abuse** involving a wide range of harmful acts and behaviours



270 respondents reported the forms of sexual violence in the workplace; for 30% (n=79) it was a one-off incident, for **70%** (n=188) sexual violence was experienced as **ongoing series of incidents** and patterns of behaviour

Figure 3: Sexual violence is a sustained pattern of abuse involving a wide range of harmful acts and behaviours

4.2 Key finding: sexual violence is a sustained pattern of a wide range of sexual harms

Rape and sexual assault are often assumed to be more ‘serious’ or ‘real’ than other forms of sexual violence in the public imagination. However, our findings confirm that sexual violence is experienced as a wide range of sexually harmful acts and behaviours that happen routinely in the workplace. When asked about the forms that sexual violence took, members with lived experience of sexual violence typically reported the use of an expansive repertoire of sexually harmful behaviours. For example, 45% (n=123) experienced unwelcome sexual advances,

propositions or demands, 55% (n=152) reported unwanted derogatory comments about their appearance of clothing, 55% (n=151) reported leering and suggestive gestures or remarks, and 55% (n=153) had experienced unwanted physical contact such as the invasion of personal space or unnecessary touching. Further, 14% (n=37) had been sexually assaulted, 8% (n=21) were raped, and 13% (n=35) had been subjected to the sharing or displaying of sexualised material against their wishes.

Sexual violence was also more likely to be experienced as an ongoing pattern of abuse rather than as an isolated or one-off incident. Responses to the section of the members survey that invited members with direct experience to share further information indicated that for 30% (n=79) of people who experienced sexual violence this was a one-off incident, however for the majority, 70% (n=188), sexual violence was experienced as an ongoing series of incidents/pattern of behaviour.

Sexual assault and rape are part of a continuum of sexual violence that includes unwanted comments, invasion of personal space, unwanted touching, and demand for sexual favours. These more subtle and widespread forms of sexual violence can be difficult to notice and name as sexual violence, particularly for onlookers and colleagues who do not have the full picture. Over time, a pattern of seemingly small and innocuous acts can set the scene for physical forms of sexual violence such as sexual assault to be carried out. The routine use of sexual harms erodes a person's sexual autonomy and increases their vulnerability to unwanted sexual advances. One respondent to the members' survey noted how such ongoing behaviour can create a hostile environment for some women in full view of colleagues who seem to enable it, as one member noted:

I wish I could have reported him with any confidence that he would have received consequences for his actions. But, he deliberately behaved in a way that would tell onlookers that we were 'close' (we were not) and that this was 'just banter' (it was harassment). He was known for his completely inappropriate behaviour at work, both towards me, other colleagues, and students. [...] His boss said it was 'just the way he was' without ever taking action. [...] I wish we could have had some reliable protection from him that would have enabled reporting.

In survivor-centred conversations many told us that sexual violence took the form of a sustained pattern of a wide range of sexual harms, which were minimised by the abuser and easily dismissed by the wider community. For example, one survivor articulated how, over a period of years, her abuser used a pattern of unwanted behaviours and comments in the build up to making unwanted sexual demands:

It happened over a number of years. I had close daily encounters with this person. He monitored my facial expressions and made comments about my mood and speculated about what was causing them (which was often gendered). In terms of conceptualising what was happening it was very easy for him to brush it [concerns, directly addressed] off. [...] He sold it as he was trying to help me or if it was questioned, it was brushed off as a joke.

The ability to identify and challenge these seemingly small everyday acts and behaviours has the potential to make a powerful contribution to the elimination of sexual violence in tertiary education. On the surface, tertiary education institutions promote a 'zero tolerance' approach to harassment and discrimination in the workplace; however in practice structural power inequalities create conducive contexts (Jackson and Sundaram, 2020) for sexual violence to take root and persist in workplaces.

4.3 Key finding: sexual violence is an abuse of power

Power dynamics and working conditions, including increased precarity and competition, exacerbate sexual violence in tertiary education. Staff groups with less structural power are disadvantaged in these systems. This was confirmed in open-ended responses submitted in the members survey, which suggested the following staff groups were more vulnerable to sexual violence: doctoral researchers and research fellows on casualised contracts, racially minoritised staff, early career staff, disabled people, and those on probation periods.

Survey results found that structurally disadvantaged staff groups reported experiencing sexual violence within the last five years at a slightly higher rate. The majority of members who reported experiencing sexual violence in the last five years were women (79%, n=281). Staff groups who are structurally disadvantaged in relation to gender identity, sexuality, disability and casualised contracts were more likely to experience sexual violence within the last five years and these differences were determined to be statistically significant (see Figure 4).

In terms of ethnicity, racially minoritised respondents were more likely to have had direct experience of sexual violence in the past five years: at a rate of 11% (n=35), compared with 9% (n=310) of white people. This gap and the number of responses were smaller than for the groups just mentioned and the difference in this case could not be determined to be statistically significant. However, there is abundant other evidence to suggest that Black and other racially minoritised people in tertiary education do experience sexual violence to a greater degree than white people (Imkaan, 2016; Stonewall, 2018; AHRC, 2017), including the fact that BAME staff in higher education are more likely to be employed on casualised

contracts and therefore more likely to be exposed to the kinds of abuses of power that affect precariously employed staff and are documented here (UCU, 2021b). This is further supported by much of the qualitative evidence gathered as part of the member survey and survivor conversations.

In relation to visa status, no discernible difference was found.

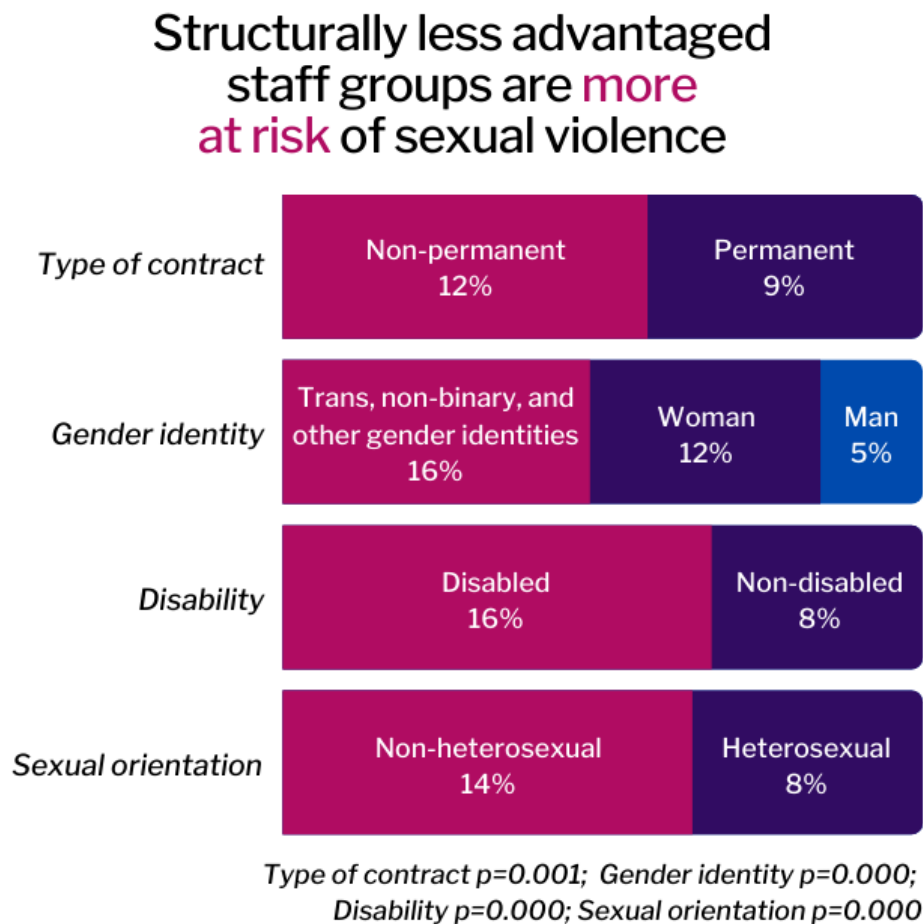


Figure 4: Structurally less advantaged staff groups are more at risk of sexual violence

Survivor-centred conversations provided some insights into the working conditions in academic institutions, cultures and networks that exacerbate sexual violence. Paying attention to power dynamics in the workplace helps to make sense of how and why sexual violence can thrive in tertiary education. For example, workers on casualised contracts are structurally dependent on relationships with more established staff members for joint publications, future employment and career progression, which made them more vulnerable to abuses of power. In a conversation one survivor summed up this situation: ‘precarity exacerbates sexual violence’.

Survivors also told us about how abusers activate their networks and connections to protect themselves, discredit survivors, and enable their behaviour to continue. Some survivors found that this extended to local UCU branches where their access to support was blocked. In a conversation one survivor reported: ‘When I have spoken about it, they [the branch] shut me down and diminished the issues I raised’.

A fear of not being believed and/or facing repercussions, including loss of employment, dissuades workers from challenging sexually harmful behaviours. One survivor observed (in a conversation):

People choose not to call out behaviour because of the power dynamics, precarity and competitiveness of academia.

This means that workers with less structural advantage (e.g. gender, class, ethnicity, sexuality, gender identity and disability), who are on casualised contracts and/or early in their careers can experience an intensification of vulnerability to exploitation in workplaces. In conversation one survivor reflected on her time as a PhD student: ‘I was treated like a decontextualised research producing entity. The system keeps you vulnerable and exploits it’ and another described feeling ‘disposable’. This can create an impossible situation for workers who become ‘stuck in jobs which are unsafe’ that ‘can result in becoming unwell which also jeopardises chance of employment’. These issues are explored further in the sections on reporting and on the complaints processes.

4.4 Key finding: sexual violence has long-term human and material impacts

Sexual violence has serious impacts on physical, mental, and emotional wellbeing as well as serious material impacts on working lives. The immediate shock of sexual violence can shatter self-confidence and trust as one survivor explained in a conversation:

It was so shocking; I didn’t expect to be harassed. I thought that people who worked with students would have a genuine interest in their growth. [...] I felt super vulnerable and wanted to disappear.

The importance of rebuilding this trust in the workplace was an important aspect of recovery for another survivor who shared in a conversation:

Understanding that trust and perspective are things survivors do not have in the moment/at the time of abuse. These things are so important to build and understand as you recover.

In conversations, some survivors emphasised the material impacts that sexual violence has had on their careers including prolonged absences, leaving employment, changing careers, loss of income, loss of productivity and irreparable damage to their careers. These human costs and impacts of sexual violence need to be better recognised and acknowledged, as [one survivor] said:

I wanted some explicit acknowledgement that what I had experienced was difficult and that it had material impacts on my ability to hold my body and spirit together.

These issues are explored further in [section 8](#) on sanctions and resolutions, where we continue to draw upon survivor conversations and responses to our members survey to outline the impact of sexual violence and survivors' journeys towards recovery.

5. Organisational culture: recognition of the problem, policies, complaints procedures and support mechanisms

Recognition of the problem of sexual violence, policies and reporting mechanisms, and complaints procedures and systems of support all serve to shape and reflect the prevailing organisational culture of the institution. These issues are explored here in relation to the tertiary education sector and in relation to UCU.

5.1 Recognition and awareness of sexual violence

Respondents to the surveys, as well as the professionals and survivors who were interviewed, overwhelmingly noted an institutional failure to acknowledge the prevalence of sexual violence, the scale of the problem, the harm it causes, or indeed that this was a workplace/union issue.

A lack of clarity on what constitutes sexual violence also emerged in the responses to the members' survey. A small minority of the respondents were critical of the category of 'sexual violence' deployed in the survey, which they regarded as too broad. For example, one respondent cited the UUK definition saying:

Please keep things in proportion. It seems totally preposterous to me to equate rape and sexual assault and other minor forms of sexual harassment such as "whistling, catcalling, sexual comments, sexual innuendo, telling sexual jokes and stories, spreading rumours about a person's sex life [...]" (UUK, 2016).

Many of the qualitative responses to the members' survey noted that rape and sexual assault were dealt with at their institution, but everyday sexual harassment was not always acknowledged as harmful. Definitional ambiguities also featured in the members' survey in a somewhat different vein than it did for the detractors. Several survey responses attributed the respondent's decision to refrain from reporting incidents of sexual harassment to the fear that they would not be taken seriously by their institution or their union:

Some people think if it's not rape then it's not violence.

In a similar vein, a small minority of respondents felt that sexual violence was not a matter of concern for the tertiary education sector:

If there are allegations of sexual violence then that is a police matter. The university should report it to the police, and remain as impartial as possible.

These responses suggest the need for greater awareness of the range of everyday and rarer harms that also constitute sexual violence. An institutional stance to signal that they take this issue seriously could be conveyed through educational campaigns, and awareness raising, including mandatory training on sexual violence. This would help those who have experienced or are at risk of experiencing sexual violence, but also send a message to potential perpetrators.

The majority (62%, n=2356) of respondents of the members' survey were not aware of any campaigns at their institution, some were unsure, and only 24% (n=906) were aware of a sexual violence prevention campaign at their workplace. Examples of good practice included explicit senior leadership commitment such as statements or emails from the vice chancellor or senior management, or campaigns disseminated by a central university service, such as the equality and diversity office. Visible backing by senior members of management seems to convey a firm institutional commitment to tackling sexual violence.

Training on sexual violence is an important indication of organisational readiness to address this problem. However, only 16% (n=612) of members who participated in the survey were aware of any such training at their institution. A recurring theme across both the surveys and in the conversations with professionals and survivors was a call for training on sexual violence, including those underpinned by bystander intervention education and feminist understandings of sexual violence.

Several respondents to the members' survey called upon the UCU to take a lead in change-making by increasing the visibility of UCU's stance on this issue, including information, advice and guidance on what constitutes sexual violence, the support available from UCU branches and central office.

Several respondents drew upon their own lack of knowledge to point out the need for such proactive messaging:

As someone who has been a victim of sexual violence in the workplace, I can state that it was almost impossible to know what to do and who to go to. [...] I'd also like to see more awareness raising in general. [...] Posters with examples of the more subtle forms of sexual violence could help educate.

Particular categories of staff were identified as vulnerable and in need of targeted initiatives by UCU: international staff, PhD students, early career staff, staff on casualised contracts, and those with disabilities who often experience additional victimisation, as well as intersecting barriers to reporting and accessing support.

I'd like there to be visible campaigns around sexual violence or harassment towards hourly paid staff. Without a contract it is difficult to keep a job and complain or protect yourself against a course leader who is offering you the day's work.

The lack of visibility on this issue risks leaving those who most need the union support unaware of its availability at a very vulnerable time.

I wasn't aware that the union had this in its remit so I think this should be more publicly promoted. I had a significant unfortunate series of incidents in the last five years and I would have benefited from union support with the benefit of hindsight.

This lack of visibility also reinforces outdated ideas about the role of the union, which were also reiterated by a small number of respondents to the members' survey:

I'd like UCU to be a union that focuses on teaching and supporting skills to do with teaching. Not sexual violence which is not your remit.

Such attitudes articulated by a small minority of members sit alongside the responses by a majority of the respondents to the UCU branch survey who called for more recognition of sexual harassment as a workplace issue in branches/branch meetings. However, not everyone was optimistic about how easy it would be to achieve this change.

Several UCU representatives identified a problematic 'macho' culture in the union which stemmed from, as one put it in conversation, a 'masculinised idea of trade unions, of "toughen up and get on with it"'. They noted that one way in which this culture manifested itself was through insufficient support and the absence of 'trauma-informed, evidence-based and best practice-led' training for representatives and caseworkers dealing sexual violence, work that they felt was undervalued in relation to 'political activism'.

An experienced UCU (ex-)representative who attended training on sexual harassment reported that the training did not address internal problems within the union, treating sexual violence and harassment as an external issue:

There needs to be an acknowledgement that sometimes, perpetrators are UCU representatives [...] and that sometimes, members do not feel safe going to their local branch or to their regional office.

The different categories of respondents drew attention to the change needed, and the important role that representatives and officials could play in creating this shift in culture within the union itself as well as the sector.

5.2 Policies and reporting mechanisms

A large number of respondents to the branch survey identified the lack of a clear, visible and dedicated policy addressing sexual violence or their lack of awareness of whether such policy existed, both within institutions and the union.

A minority (31%, n=31) of branch representatives who completed the survey reported that their institution had a policy on staff-on-staff sexual violence. A total of 20% (n=20) reported that no policy existed, and the majority of respondents (48%, n=48) did not know if there was such a policy.

Many respondents to the members' and branch surveys called for policies outlining clear reporting and complaints processes, including anonymous reporting and measures to facilitate disclosure. Other suggestions included guidelines on student-on-staff harassment, the prohibition of staff-student relationships and protection for those who were particularly vulnerable.

Funded PhDs are a particular issue—not employees but not 'students'—and often it seems that no-one knows quite how to deal with them. In general all the equality policies and signals are fine, the institution is pretty good on this sort of stuff—but not on sexual matters. I would like clarity and specific individuals and routes for complaint, but even then I think this is an uphill struggle.

In the branch survey, one third (32%, n=18) of the branch representatives who answered the question (n=57) indicated the existence of a process for anonymous reporting of sexual violence within their institution, while 30% (n=17) did not know if this was the case and the remainder reported no such system being in place (39%, n=22).

Branch representatives were also asked if their institutional policies contained statements about acceptance of survivor accounts and experiences or statements about penalty for false allegation. Only 3% (n=3) of the respondents reported the presence of a statement about

acceptance of survivor accounts, suggesting that such things are rare, or at least awareness of such things is rare. A total of 13% (n=13) reported that their institutional policy had a statement about penalty for false allegation. In a context where underreporting of sexual violence remains high and the existence of myths about sexual violence serve to deter complainants through constructions of 'ideal' victims, what constitutes 'real' violence and the myth about false allegations (Kelly, 2010; LeMaire et al., 2016; Lisak et al., 2010), the absence of affirmatory statements and the inclusion of statements about false allegations raise serious concerns.

Some positive features of institutional policies and processes were also highlighted. These included mandatory training for all staff, dedicated and trained staff to record disclosures, availability of support from external organisations, and survivor-centred responses. For example, one branch representative identified their institution's policy as 'survivor centred, trauma informed, and takes the perspective of the person suffering harm rather than the perpetrator—"impact over intent". It applies to all members of the community—staff and students'.

It is worth noting that there were consistently high levels of 'don't know' responses from members as well as branch representatives when asked about institutional policies and processes to address sexual violence. Branch representatives' lack of awareness of existing provisions is likely to undermine both their capacity to support survivors, as well as to challenge their institutions.

Several respondents to the members' survey suggested a need for action by UCU branches to address the lack of institutional policies on sexual violence, and welcomed action by UCU to inform the content of such policies. Where policies exist but are not implemented effectively ('The focus is mainly on making sure they can't be sued'), they called upon UCU to address cover-ups by institutions and to render active and vocal support to initiatives to address this issue.

[UCU needs to make sure] that [institutions] adhere to their own policies. In my experience, institutions only play lip service to these goals and policies. They very often protect the perpetrator, especially when the perpetrator is highly ranked and/or brings in a lot of money. To be honest, I don't think my institution cares about sexual violence [...]. All they do is pay lip service.

Hold institutions to account, make sure institutions adhere to their own policies. There is so much talk and so little action.

Power differentials between the complainant and the perpetrator featured in these accounts of the gaps between policies and practice, and many respondents highlighted the important role the union should play in protecting those who are disadvantaged by current practices. Some UCU members noted that union pushback against any mechanisms to regulate their members can sometimes work to the detriment of those who are vulnerable.

The UCU branch were against changes to staff policy on staff-student relationships. This [stance] supported UCU members who had been found to have been bullying students into a relationship. In cases like this, UCU needs a harder line on staff-student relationships as that often includes sexual violence and it is always a power differential.

Another member suggested that some union representatives or branches sought to block employers' attempts to improve HR processes by arguing that such attempts would infringe academic freedom by making it easier to discipline or dismiss academic staff.

Some survey respondents also highlighted instances of branches where claims of sexual harassment were treated as suspect and/or this issue was not deemed a priority for the union. Suggestions from the members' survey included setting up mechanisms to bypass local branches where violence-tolerant cultures inhibited effective support of complainants.

UCU's own policies for addressing sexual violence were questioned by members as well as union representatives and officials. Several respondents questioned the use of UCU's Rule 13 procedure, which governs the conduct of members in general, for addressing sexual violence. As a submission by one of UCU's national committees put it: 'This issue is wider than sexual violence, but sexual violence cases are particularly badly served under the current processes'.

5.3 Complaints procedures and support mechanisms

We now draw upon the responses from the branch survey to understand aspects of existing complaints processes and support mechanisms at institutions as well as within the union.

Institutional readiness to address sexual violence can be reflected in the accessibility of complaints processes and support mechanisms. A total of 16% (n=16) of the 100 representatives who responded to the branch survey reported that their institution had dedicated sexual violence response personnel, such as first responders. The majority (51%, n=51) reported that their institution did not have any such roles. This limited presence of dedicated, trained personnel is of concern, and is likely to create barriers to full disclosures. The provision of external support services (such as Rape Crisis) on campus for survivors of sexual violence was reported by 15% (n=15) of respondents.

Respondents were also asked if arrangements at their institution allowed those who had experienced sexual violence to seek support through institutional structures without having to make a formal complaint against the perpetrator. A total of 34% (n=34) of the respondents indicated the availability of such support, 15% (n=15) said this was not possible, and the vast majority did not know (51%, n=51).

Branch representatives were also asked if staff experiencing sexual violence could access accommodations that would allow them to work more safely (such as a change in teaching team, or an office relocation) without having to lodge a formal complaint. Again, only 15% (n=15) said this was the case, 22% (n=22) said this was not possible at their institution, and the vast majority did not know if it was the case (63%, n=63).

Several respondents also highlighted concerns relating to union processes and support mechanisms. Several UCU officials articulated the need for a clear UCU stance on sexual violence, which they felt was somewhat 'muddled' by the fact that UCU also represents members accused of perpetrating sexual violence. Some of the evidence gathered for this study indicated that the union has negotiated exit packages on behalf of perpetrators including non-disclosure agreements (NDAs) which risk perpetuating a culture of silence and a lack of accountability and paving the way for future victimisation. Additionally, a number of caseworkers reported feeling uncomfortable about representing those accused of perpetrating sexual violence and felt that they should be able to refuse to do so. UCU officials who have represented complainants called for greater support for caseworkers due to the difficult nature of this work.

Existing cultural ethos, policies and processes create a context within which individual experiences of sexual violence, its impact and (any) efforts to seek redressal and justice can be understood. Subsequent sections will explore the various steps in that process.

6. Disclosing and reporting sexual violence: Institutional responses and support

This section documents survivors' experiences of making tentative, informal as well as formal disclosures about sexual violence in the workplace. Also explored are the responses from institutions and the union to these initial disclosures and the impact of these responses on their decision to make a formal complaint. Given the low rates of reporting sexual violence through formal complaints, it is important to understand these first steps towards seeking an acknowledgement of harm and redressing it.

6.1 Disclosing and reporting sexual violence

The construction of disclosures as a clear moment when experiences of sexual violence are revealed to others, and support or redress is sought is not always borne out by members' accounts. In many cases sexual harassment in the form of ongoing, everyday conduct—which formed the majority of sexual violence reported by members (see [section 4.2](#))—occurred in public spaces, in the presence of colleagues and line managers.

Everyone knew that these men were 'creepy' and 'sleazy' but no-one did anything. [...] I witnessed all of these behaviours at university events with the whole [senior management] team present and aware. [...] when any of the women he was harassing said anything upwards, it was laughed off as him being a bit of a rogue and a bit of joker. There was nothing funny about this man invading your space, touching your leg, sitting on the desk in front of you so his crotch was eye-height and very close, thrusting his hips at you when you had to stand near him. He eventually retired but was welcomed back as an emeritus. Despite it being in plain sight, all of his behaviour was disregarded and he continued supervising postgraduate students.

Respondents to the members' survey, both those who had experienced sexual violence and those who had witnessed it, recounted how ongoing and everyday sexual harassment was commonplace in some institutions.

The senior managers were aware, encouraged it, laughed at it and made it 'ok' and 'acceptable' [...] 'oh that's just the boys' or 'that's just [person's name]'.

The reaction of those who witnessed such behaviour often shaped how survivors constructed their experiences, the impact it had on them and their decision about making a formal complaint. In the face of a hostile organisational culture, those experiencing such public

sexual harassment looked for solidarity from colleagues and some validation of their feeling of being violated, but did not always find it.

Among the minority of men who reported experiences of sexual violence perpetrated by women, often by those more senior than them, one survivor reported a minimisation of his experiences of sexual harassment based on gendered constructions of men as always welcoming sexual attention:

[...] that if a woman rubs herself on a man he should be grateful. I want my community to recognise the problems this causes.

Where survivors encountered any solidarity and support, they valued it, as such responses to witnessing sexual violence were rare:

It was a work event, many colleagues witnessed it. One female colleague later suggested that I report it to my line manager; however, all other female colleagues just offered condolences (while laughing—'he's such a prat/twat/how typical' etc.). I did tell my husband and we discussed it [but decided not to make a formal complaint]. The colleague has been very wary of me ever since as he a) knows that there was a spectator crowd and, b) wonders if I reported him. It's possible that someone 'mentioned' the incident in passing to my line manager.

Alongside outlining problematic behaviours, many respondents to the members' survey also indicated that they would have particularly welcomed pro-active bystander interventions such as challenging the perpetrator and taking a public stance on the issue, for their colleagues to call it out when inappropriate comments were made in public spaces and for their community to actively foster a cultural change.

I would have welcomed a general acceptance of two things: first, the fact that even what may be perceived as low-level 'sense of humour' sexism is a huge part of the problem, and fosters worse behaviours; second, male colleagues who had the confidence (and were themselves supported) to pledge a zero tolerance approach to unacceptable language and behaviours, especially from senior colleagues.

Where there were supportive colleagues, their intervention offered validation and support, and in some cases led to reporting and some redress:

A male colleague slapped me on the backside to get my attention. This was witnessed by another male colleague who later approached me and said he would be witness if I wanted to make a complaint. I informed my manager the next day and a conversation took place with the perpetrator who apologised.

Initial disclosure to colleagues, friends or family did not always lead to reporting to the line manager and formal complaints. Many respondents indicated that they did not want to start formal complaints processes for everyday incidents of sexual harassment—particularly where they were not ongoing and persistent behaviours—and sought to ignore them, managed to resolve them through informal mechanisms or reported it to their line manager who took informal action. Others considered pursuing a formal mechanism for redress, but recounted several barriers to taking this step.

Perceptions about institutional readiness to acknowledge the prevalence of and harm caused by sexual violence, the strength of the existing policies and support mechanisms as well as knowledge of other people's experiences of the complaints process shaped many survivors' decision.

I don't trust the investigating system especially if the perpetrator is more senior than me. I've seen internal investigations on less serious issues that have been botched or total cover ups so I've no confidence that if I reported, my employer would take me seriously and investigate seriously—I have too much to lose by reporting my experiences and not winning the case.

Others feared that initiating a complaint would leave them unprotected in a hostile environment where colleagues would see them as responsible for destroying someone's career. They feared that hostility from colleagues would force them out:

I didn't complain because I knew I will lose my job even if I win a claim—you just have to look at the track record of universities to know that is sad and true.

Embarking on a complaints process poses particular barriers for staff who are vulnerable due to reasons such as their insecure contracts, disability, visa status or the early stage of their academic career in what might be their first permanent post.

I didn't report it because I was worried about the consequences for me (I was on a temporary fixed-term contract as a teaching fellow).

Given that sexual violence reflects broader power relations in society, both gendered and in relation to other hierarchies in social relations of power, it was not surprising that many of

the survivors reported large power differentials between them and the perpetrator. The fear of inaction, as well as further harm and re-victimisation loomed large in accounts of their decision-making processes:

I didn't report the incident. This was a member of the senior leadership team with a reputation of being untouchable due his charm and charisma. [...] I wish it was a more supportive environment where I felt I could have raised it.

The main issue in my experience is how problems with sexual violence are typically dealt with according to the status in the institution of the alleged abuser, i.e. if they are a prof with a large grant record, you may as well forget it. HR seem clueless and worst of all defensive in such situations.

The journey from experiencing sexual violence to reporting and initiating a formal complaint was a fraught one for many survivors, who felt that they had few realistic options for redress.

6.2 Supporting survivors following disclosure

6.2.1 Institutional responses and support following disclosures

Following an initial report to the line manager, the nature of the institutional responses and the support offered often shaped survivors' decision to pursue a formal complaint as well as their experience of the complaints process itself, which is discussed in the subsequent sections.

Several respondents to the members' survey recounted responses verging on victim-blaming, minimising or even condoning the behaviour after they first reported it to their line manager.

I was not taken seriously by colleagues and management. There was a male colleague who actually told me to wear less make-up and dress less 'sexy'. And another who told me to 'enjoy it while it lasts, you won't get these compliments when you're older'—a woman colleague who was also my line manager at the time. No one checked if I was ok, no one asked if I needed support.

I would have wanted them to acknowledge that this behaviour was inappropriate, rather than respond by saying 'that is just X, he does that to all women' and laugh it off.

Such responses normalise the behaviour as ‘just what happens’ and minimise the harm caused, thereby implicitly (and in some cases, explicitly) casting the complaint/complainant as the problem.

The experience of PhD students with teaching roles who may face sexual violence both from students as well as from their colleagues was raised by several respondents. Many respondents documented the lack of support given to PhD students.

I wanted to change supervisor as a result of his behaviour. I was told that could only happen if I went through a formal complaints procedure, which I decided not to do as I couldn't face going over it all even more, especially as the members of staff I was already talking to were making me feel like I was making a fuss over nothing. A female senior member of staff told me I was a ‘big girl’ and should be able to talk to my supervisor directly about his behaviour. Afterwards, the administrator who attended that meeting with me told me she was appalled by that reaction.

Following initial disclosures and reports to line managers, many survey respondents reported that they experienced pressure to resolve the issue informally, which meant that they were reluctant to pursue a formal complaint as they did not think they would be supported.

I simply wanted to be able to go into work confident that I would not be harassed. When I told my line manager, although he believed me and offered emotional comfort, he made it clear how inconvenient it was that this happened and that it would be better for the department if I did not make a formal complaint. [...] the pressure was on me to alter my behaviour to avoid my colleague or simply to put up with it.

Branch representatives who were familiar with supporting survivors through a complaints process also encountered this pressure, which they attributed to an overarching concern with institutional reputation. Some respondents to the branch survey provided examples of poor practice by institutions, and the recurring themes included: institutional attempts to ‘sweep the complaint under the carpet’; not dealing with the complaint in a timely manner; not having clearly explained processes; and not having a clear or appropriate outcome.

There's a general culture of ‘try to resolve this internally/without recourse to formal procedures’. So this is at the mercy of what the ‘internal people’ deem an appropriate resolution. That often means that the complainer is, if not ‘kept quiet’ then, persuaded to ‘compromise on the complaint’. And the accused is

‘let off with a slap across the wrists’. We have policies for these and other complaints in this institution, the problem is that, locally at least, they are not implemented.

Even where colleagues and line managers were supportive, the process of disclosing and reporting sexual violence can be difficult, as this survivor recounted:

It’s very tricky. I did not know if I should report it, so I confided in two older female colleagues who I trusted. They urged me to report the incidents and not stay silent. It was so stressful.[...] It was extremely hard to be in the same room with him [perpetrator]. [...] When I finally found the courage to tell my manager, I could only cry. I was embarrassed and disgusted at the same time. My manager was extremely helpful and took action straight away. I suppose the difficulty was explaining this to a man. He is a lovely manager, but I wish there had been a female who I could have spoken to instead, just because it was so embarrassing. I had to show my line manager the disgusting graphic language messages that the colleague had been sending me and it was really hard to do.

Based on the accounts of survivors, the low rates of formal complaints reported in the members’ survey can be understood as a consequence of survivors’ location within hostile organisational cultures, initial unsupportive reactions to their tentative disclosures and reporting and their efforts to minimise future harm that might arise from pursuing any formal mechanisms for redress.

6.2.2 Union responses and support processes

In the context of the overwhelmingly negative experiences of institutional complaints processes, the union has a crucial role to play in representing the interests of its members who have experienced sexual violence. However, not all survivors felt able to seek the support of their union.

I didn’t think that my employer would be happy if I involved UCU.

Beyond the fear of institutional response to involving the union, a more common reason for survivors’ reluctance to approach the union was a lack of confidence in the support of their union.

I wouldn’t have sought support from a UCU rep as I don’t have confidence that they have the expertise to support me. I think UCU are too focused on pay

issues which effect [sic] academics and not focused enough on other issues such as sexual violence.

A few members pointed out the barriers created by a masculine culture and the absence of women representatives in their branch.

In my department and in the UCU exec more generally women, non-binary and minoritised members are under-represented. In fact, all my departmental reps are men and colleagues with whom I would not feel comfortable discussing a need for support. I can say this as a survivor of sexual violence, who found disclosure even to close relatives and friends to be exceptionally difficult.

Respondents to the members' survey also indicated several problematic dimensions of UCU responses to their complaints and the measures to support members who experience sexual violence. These included accounts of branch representatives ignoring victims, minimising the complaint, making the victim feel like they were the problem for raising the issue, and a lack of support.

Several respondents to the members' survey reported that they received no support, or inconsistent levels of support, from their branch and that their complaint was not taken seriously, or that the branch representative sided with the perpetrator:

The caseworker just laughed and said I should feel lucky and to 'get in there'.

I reported the situation to my local UCU branch, and was told that someone would get back to me. They didn't. I made contact again, and still received no contact. I felt that they did not take this seriously and were more interested in their own disputes with the university. I ended up going through the whole process on my own.

I told two union reps about the situation but they didn't take action. The third union rep I told challenged the man and told him there would be consequences if anything happened again. He immediately stopped.

Lack of support from the union was particularly pronounced where the reported party held a UCU branch position or was a long-standing union activist.

UCU rep stopped speaking to me after I raised concerns about a popular colleague.

A few members indicated that union representatives had tried to offer support but were not trained or lacked the capacity to do so effectively:

Although reps [...] were well intentioned they were embarrassingly illiterate in questions around race, sexual orientation and gender identity, which further victimised me and compromised the case.

Staff need to be better trained in how to deal with staff members who have encountered sexual violence. When I went to my supervisor who is a UCU member [...] they had the best intentions but no idea what to do.

A minority of members reflected on their positive experiences of UCU support following a disclosure or report. Those who reported a positive experience recounted the difference it made not only to the outcome of their case but also to their overall outcome, including health.

My UCU rep was invaluable. Without his help and support, I would inevitably not have had the courage to make a formal complaint at all. He went above and beyond to chase up what was clearly a reluctance to deal with the problem, and ensured that I was not ignored. Without that support I fear I would have suffered from the behaviours for a lot longer, and left my job and profession, and done so in worse health.

The respondents also outlined what they would have found useful from their workplace community. The most common response that the survivors wanted from their workplace community was more supportive, affirmative attitudes and actions to indicate to the survivor that they were being listened to and believed.

Someone to confide in and be believed. I had previously made a complaint which didn't end well so didn't want to complain when it happened at my new university. I just felt alone.

In a context where the formal complaint was often a long drawn process, or where many victims chose (or were persuaded) not to make a formal complaint, a more supportive organisational culture was particularly important for many survivors.

7. Complaints and investigation processes

This section explores survivors' experiences of the complaints and investigation processes recounted in the members' survey, branch survey and survivor conversations with the task group, as well as the experiences of branch members and professionals who supported members through the complaints process.

7.1 Experience of institutional practice, investigation, and redressal processes

Of those branch representatives who responded to the survey, 32% (n=32) had supported a member of staff through their institution's complaints procedure. Of these, 25 respondents answered the question on the key issues that institutions could improve on. Several respondents raised the issue of timeliness and the need to avoid re-traumatising the complainant through an ineffectual, drawn-out process or by making them have to retell their account to several people or several times over. Other factors that were mentioned by branch representatives included the need to address the lack of training for staff dealing with complaints, the use of non-disclosure agreements, lack of transparency in the process, and the lack of a survivor-centred approach (e.g. the process being intimidating, the survivor not being believed).

By far the most commonly raised issue in the qualitative responses to the members' survey was ongoing and historic problematic practice at members' own institutions. Several made disclosures about their own experience of navigating a complaints procedure, and many respondents outlined the barriers, difficulties and disadvantages they had faced through the various stages of the process:

The reporting process is labyrinthine and difficult to navigate, investigations are conducted by people who know nothing about supporting survivors, and the process always favours the perpetrators. Survivors are not put first; they are dissuaded from reporting at all, and there is very little meaningful support for them.

In relation to the institutional complaints processes, a large number of respondents indicated their dissatisfaction as no action was taken following their complaints and they were discredited, victimised, targeted through spreading rumours, blamed, and not believed.

No disciplinary action was taken—the institution/department was only concerned with covering up their star lecturer. I was vilified and smeared so that my concerns would be dismissed.

No action taken.

Literally nothing happened. I even had to share an office with him afterwards (he chose to move to a spare desk next to mine!) I did not feel comfortable pursuing other options after my disclosure to my boss was met with 'oh yeah, we try telling his boss about his behaviour but he doesn't do anything'. That is where it started and ended.

Other key points of dissatisfaction were the lack of support for the complainant and the unprofessional way in which the process was conducted ('poor process', 'it was sloppy'), on account of the lack of knowledge of those processing the complaint, or undue delays.

My line manager put off the informal reprimand for 6 months leaving the victim unsupported and vulnerable.

Throughout the process the experience was so emotionally draining that I was pushed into ill-health and diagnosed [with] depression as a result. The process was not only unclear, but it was reactive: my UCU rep and I had constantly to chase up and find out what was happening with the complaint for months. My line manager was absent and uncommunicative throughout a process which relied on his input to progress. He repeatedly expressed a casual disdain for my complaint and did not take it seriously, and unfortunately so much of the process appeared to be reliant on his reaction to my complaint. Eventually I was told not to attend meetings, research events etc. with the individual (and very senior) colleague who was the subject of my official complaint while the process was ongoing: I was the person excluded from important aspects of my job! It was only once other complainants had become involved [...] that the perpetrator was suspended, and the process progressed. [...] HR and my line manager were aware of the repercussions I was experiencing as a result of making a formal complaint, and of my ill health, and yet my line manager was still using language that suggested he thought I was the problem for raising the complaint. By the time various interviews and evidence had been gathered and assessed, I had secured a new post elsewhere.

There were many cases where the delays and the lack of support meant that the complainant was impelled to seek work elsewhere, thus 'resolving' the issue as far as the institution was concerned, which almost always then chose not pursue the case. But this inevitably results in both condoning the behaviour as well as exposing other staff to risk. In other cases, delays meant that the complaint was never investigated.

They ran out the clock, and I had to sit through it for 4 years before they would intervene, by which time the student was going to leave. The derogatory comments continued.

'Running the clock out' was a theme that recurred in the responses to the members and branch survey, as well as survivor conversations, and in many cases this allowed those accused of perpetrating sexual violence to leave the institution with an unblemished record.

My manager took forward a number of complaints about the individual, but [the] HR process was atrocious: incompetent record and note taking which jeopardised truthfulness of accounts, retraumatising by putting the effort on me to correct their sloppy note taking (no recording was taken), telling me off for striving for accuracy (I was concerned inaccuracies will jeopardise the case in disciplinary hearing), lack of transparency or support with process or jargon, lack of timely notifications about the development of the case increasing anxiety and taking toll on mental health. In the end, the person (on advice from UCU) took prolonged sick leave and left uni for another institution before disciplinary hearing. So they kept their reputation with freedom to harm other women.

Respondents to the branch survey were asked whether their institution would continue with an investigation into sexual violence or misconduct after the person accused had left the institution concerned, with only 7% (n=7) stating this was the case. Again, the vast majority did not know (71%, n=71).

7.2 Structural vulnerability of postgraduate research students

While gender was a key factor in shaping members' experiences of sexual violence, gender intersected with other inequalities to exacerbate the difficulties faced by some members as they negotiated their way through the complaints process.

One survivor was a PhD student, with additional paid roles, when she was sexually harassed by a senior academic. She disclosed the abuse to her PhD supervisor who supported her to make a complaint. However, once the complaint process was activated her decisions and behaviour were scrutinised and she experienced a significant loss of control:

I wanted them to see that something illegal had happened to me and that I deserved a safe environment. They tried to frame me in a box and treated me as a student when it suited them. [...] My supervisor advised me not to tell them that I was friendly with staff to avoid looking 'too friendly'. I had no

control. I could only play the victim and could not be seen as outgoing, defensive or aggressive.

Research documents how dominant constructions of ideal victims serves to exclude those who do not conform to its parameters (Carline, 2005; Randall, 2010); in this case, the survivor was being advised to re-present herself to conform to this construction in the hope of securing redress. This survivor did her PhD on a self-funded basis, which gave her some autonomy to lever the institution into providing her with adequate safety and routes to redress. However, postgraduates who are more dependent upon an institution or an academic, whether for supervision, funding and/or paid work opportunities, can face very limited options.

7.3 Confidentiality and transparency during and after a complaint

The importance of having choice and control over information emerged as an important theme from conversations with survivors. Some survivors wanted to protect their confidentiality and avoid being exposed to colleagues, while others wanted to reclaim their voice.

Common fears of those who wanted confidentiality included being treated differently, being judged by others as incapable, and being scrutinised. For instance, one survivor experienced sexual violence from a person she knew when visiting a different country. When she returned to work, she needed to attend various appointments that required time off work. She explained why protecting her confidentiality was important to her:

I wanted confidentiality and anonymity in the workplace to be protected. [...] I would find it invasive. My line manager would be patronising and get me to take time off work when work helps, or that people I work with might make assumptions that I can't do my job. At work I want to keep the personal and the professional separate and find it difficult to maintain that barrier by disclosing something so personal. I am worried that if people knew then I would have to monitor myself to manage their perceptions of me that I am 'looking for it' in what I wear and what I say as too suggestive.

Some survivors decided to waive their confidentiality and publicly speak out, but encountered legal challenges including retaliatory defamation claims and the use of non-disclosure agreements, discussed later.

Survivors who engaged with institutional disciplinary processes discovered that the confidentiality of the perpetrator was privileged and protected. The use of confidentiality

agreements prevented survivors from being regularly informed about cases, leaving them in limbo: ‘the confidentiality agreement made it difficult to know what was happening’. This included information and updates that would have enhanced survivors’ sense of safety. For instance, one survivor was involved in a disciplinary process that involved multiple women complainants. She described a situation in which a withholding of information put women at risk:

I had no updates from HR on the progress of the disciplinary [...] There was no consideration of risk or safety. We hadn’t been informed that he was on sick leave and were scared that he would approach us on campus. It would have been good to be informed [...] The disciplinary process was set up to protect his rights.

Some survivors spoke about not having equal access to information:

He had the right to see our letters and statements however we couldn’t see anything that he submitted.

Survivors reported a lack of experience and training particularly around investigating allegations and receiving disclosures.

7.4 Supporting victims/complainants

Respondents outlined the support that they would have found useful from their workplace community when they experienced sexual violence.

There were several calls to address the consequences of complaining and to protect those who complain from negative repercussions on continued employment at that institution or on progression. Some specific suggestions included actions such as separating the line manager from the complaints process; separating any promotion panel from this process; signposting in a complaints policy that this would not happen and offering protection for whistle-blowers. A few respondents indicated that they were cast as the ‘trouble maker’ by their workplace community, attitudes which compound the harm caused by the sexual violence.

When respondents to the branch survey were asked what their institution had done well in relation to complaints handling, a total of 27 respondents answered. Responses suggest a range of institutional actions were perceived as positive in terms of the process and outcomes of the complaints process. The key positive features of institutional responses were where the response was quick and prompt action was taken to begin the process of investigation;

the process being followed was made clear to all parties and a tangible outcome was achieved (although this differed in scale); the autonomy and agency of the complainant was respected in relation to escalation of the complaint; supportive and sympathetic staff dealing with the complaint; and the appointment of an independent investigator to respond to the complaint.

Many respondents drew upon their own experiences or that of supporting a colleague to identify gaps in their institutional processes for investigation of sexual violence complaints and suggested changes. These included the need for faster resolution of the complaint; a more transparent process where they were kept informed of the various steps and options during the process; a victim-centred process that was 'empathetic' and 'believed victims'; trained investigating officers/panel; an investigation panel from different departments, at a centralised level of institution, or without involvement of the line manager; and for the investigator to be external to the institution.

Other common issues identified by respondents included the need for named and well trained persons who deal with sexual violence complaints; for continuity of support from the same person and not having to repeat experiences several times; for speedy measures to prevent those accused from leaving the institution to evade due process (or where they leave, for the complaint to be pursued); and where the complaint is upheld, for this to be reflected in the perpetrator's references.

7.5 The role of the union during the complaints and investigation processes

Given the challenges of negotiating the institutional processes following a complaint, the role of the union becomes a key factor in securing redress as well as in navigating the investigatory mechanisms.

However, some of the responses (e.g. from UCU officials and representatives) identified a problematic culture within UCU which can also create a 'conducive context' for sexual harassment and sexual violence. A picture that emerges from the data is one in which the union is often a network of people who have personal relationships and/or have worked closely for some years which poses problems for objectivity when a colleague or comrade is accused of sexual misconduct. For example, one experienced UCU rep described how perpetrators who are also UCU representatives are often well connected within the union in a way that survivors may not be. They are then able to draw upon/exploit these networks when seeking representation and support (e.g. by providing character references). Complaints from survivors are also often politicised by the perpetrator and the network of support that they draw upon, particularly when the complaint is made against someone who has status within the union. Another UCU representative with experience of representing

survivors cases of sexual misconduct identified a tactic of framing a complaint in terms of the complainant's opposition to a political party or faction within the union that the person accused of perpetrating sexual violence is associated with.

Other issues raised by survivors and UCU representatives included the nature of advice provided by the union representatives:

The disciplinary process is particularly threatening and stressful, at a time when victims of sexual violence are vulnerable. Reps are too quick to 'do deals' for victims than take perpetrators of sexual violence to task.

I was on the receiving end of sexual violence from a student a couple of years ago. I did not feel that the UCU took this seriously—or didn't have the time to listen to my case—and I ended up attending the investigation without their support. I was subsequently off work with stress for six months, I don't feel that I will approach the UCU again with any issue like this.

Union members who had been through the complaints process highlighted how the nature of UCU's support for the member accused of sexual violence was problematic for them.

I reported sexual harassment, intimidation, unwanted physical contact and stalking in my workplace. I have no complaints about my own UCU rep who was both sympathetic and professional. The rep supporting the man I accused attempted a character assassination of me by requesting that my colleagues be asked to submit a brief on what they thought of my harasser (who had been at the university far longer than I had) and what they thought of me (a relative newcomer). [...] This clearly went beyond UCU's remit (and beyond the regulations of the university's own problem resolution framework), and was tantamount to an attempt to bully me when it had already taken a good deal of resolve to raise the complaint in the first place. The last I heard, this man was in a more senior UCU position. (The university upheld my complaint and my harasser left).

I could not ask for more than that the university upheld my complaint and my immediate line manager and [head of department] were unfailingly kind and supportive. [...] But the university also took far too long to deal with and finally resolve the complaint, and the behaviour of the [union] rep who tried to mobilise other colleagues against me was unconscionable.

Issues identified from the conversations with survivors range from a lack of representation from UCU officials in cases; to a lack of clarity over how complaints and reports would be handled and processed; to pressure on the survivor to effectively give up their complaint under the guise of protecting the survivor:

[UCU] told me to consider [a complaint] carefully, they couldn't guarantee an outcome, and that they couldn't protect me from a defamation lawsuit.

Some of these issues stemmed from the representation UCU provided those accused of perpetrating sexual violence, while other issues related to the level of training/competence of the caseworker and/or a lack of commitment to the cause.

Where their caseworker had adequate training, this contributed to a more positive experience where they 'felt listened to and taken seriously'.

When I went through grievance procedures to report sexual harassment, the support was very good. I particularly liked that the UCU member had done SH [sexual harassment] training, the university managers doing the investigation could not say that.

I had the support of an excellent caseworker, who helped me see that what happened was not my fault and was at my side all the way through.

The patchiness of the support offered to survivors is mirrored by the patchiness of UCU's practices for collecting, storing and analysing casework data.

The central database for cases that receive support from UCU's legal services team does not have a dedicated category for cases involving sexual violence or harassment, meaning that it would take time to retrieve information about such cases and study patterns of reporting and institutional responses across UCU's regions, nations and sectors. UCU's regional and national offices also do not have access to a standardised system for filing and categorising the massive volume of casework which they handle. Practices at branch level are unsurprisingly even more ad hoc, with different branches observing very different standards for processing local casework data and as yet no mechanism for collecting and publishing summaries of branch casework data at regional, national or even UK level.

Clearly, extra resources need to be provided to support UCU staff and members in processing data relating to sexual violence and casework more generally, so the union can arrive at a more coherent picture of the problem and best practices for dealing with it.

Any resource commitment in this area should be matched by other operational changes that could complement it: for example, UCU's membership team could include 'Handling of personal casework' and a specific option for sexual harassment in the 'Reasons for leaving' form given to members who leave the union. This would help the union to identify ways in which its support for survivors could be improved.

7.6 The problematic culture of UCU

Where the perpetrator is a UCU member themselves, the Rule 13 procedure for the regulation of the conduct of members is in place as a complaints process (UCU, 2019). However, Rule 13 was criticised by a number of respondents who suggested that there is an urgent need for reform. For example, one experienced UCU rep described it as a 'mess' and one of the union's national committees described how some members 'lacked confidence' in it. A further problem with Rule 13 raised by one experienced UCU rep is its complexity, meaning that members need help in order to navigate it.

A respondent to the member survey and one of the union's national committees both commented on the 'complicated and bureaucratic' nature of reporting processes:

As the perpetrator was a member of the branch exec I sought advice from regional and national officials about how to take action. National officials, at the time all men, advised that I use my employer's processes to deal with what had been several years of SH [sexual harassment]. I was also advised to submit a Rule 13 complaint. My caseworker was highly supportive and took great care to inform me throughout the process. [...] My experience of using UCU's Rule 13 process was deeply distressing. I was not supported by anyone during the [Rule 13] process. [...] In many ways, UCU's response was more harmful to me than my employer's.

Information about the process should be clear and accessible. No one should have to comb through multiple pages to access information.

One response pointed out that such processes further marginalise and exclude groups of members who find these difficult or impossible to navigate, such as those with a disability.

The problems with Rule 13 were considered so severe by one national committee that they referred to a motion submitted by the University of Sheffield to the interim online congress in February 2021 calling for an independent review of cases conducted under Rule 13. The committee suggested that UCU should consider expanding this to include an independent review of all cases submitted under Rule 13 in the past five years and seek 'feedback and

input from affected members and officers, and producing a report outlining reforms to the process that better serve the needs of the union’.

A further issue raised by respondents which speaks to the inadequacies of current policies and procedures was that of ‘toxic branches’ where the dominant culture is one that is suspicious of claims of sexual harassment and sexual violence and/or does not regard tackling this as a priority for UCU. They pointed out that these are often branches where representatives or long-standing/powerful members may have been accused of perpetrating sexual violence and there is a culture of enabling/supporting them.

At present, UCU members who have been victimised are encouraged to seek support from their local branch. According to two experienced UCU representatives, there needs to be a system or mechanism whereby survivors can bypass local branches where support may not be forthcoming. In some cases, the regional office may also need to be bypassed (particularly if this office has a close relationship with the local branch). Further, some respondents suggested that in cases where UCU representatives and officials represent those accused of perpetrating sexual violence, they should be from a different branch or regional office to reduce the possibility of them having a relationship with the perpetrator and thus, to reduce feelings of obligation towards the accused or coercion to support them.

An oft-repeated suggestion across the surveys and by the different categories of respondents was for better support to be made available for complainants/survivors to increase the rate of complaints, for the process of reporting to be made less traumatising, and to address the impact of the violence in the longer term after the resolution of the case. This included the repeated suggestion that institutions should make external counselling available for survivors. In the absence of institutional mechanisms for supporting survivors, a few respondents called for the provision of centralised UCU support for survivors.

8. Sanctions and resolutions

This section explores the aftermath of the complaints processes, and the nature of existing sanctions and resolutions and the extent to which they provide redress and keep staff safe.

8.1 Perceptions about outcomes, sanctions, and resolutions

Responses to the members' survey suggest that at present, common practice is that if a person accused of perpetrating sexual violence leaves their institution, any complaints and associated investigations are automatically dropped. When participants were asked if investigations of sexual misconduct should continue even if the accused person leaves the institution, 95% believed that such actions should be completed, although it was recognised that the reporting party may choose not to engage further in the process.

Person has a clean record and now working at another HE with the same pattern of behaviour. There is no mechanism to safeguard other women there, no support for us at a threat of his 'collegiate' return for collaboration with staff here as no one was informed of the reason for his departure. Careers in similar field are in shambles as he continues to spread rumours about women he harmed and we are on our own if we want to share our experiences with zero support from uni or UCU if he goes after us for defamation.

8.2 Sharing information on outcome with complainants

Participants of the branch survey and professionals' survey were asked to communicate their thoughts on data sharing in cases of sexual misconduct, particularly focussing on institutions sharing the outcomes of complaints with the reporting party.

We were not able to find out the result of the disciplinary for years. We were told that if we had submitted a grievance, we would find out the outcome [...] A grievance was not appropriate as they cannot guarantee that you won't have to engage in a two-way conversation. There is no sensitivity.

The vast majority of respondents felt it was important to share outcomes with the reporting party and that this was vital to the safeguarding and supporting of complainants:

The reporting party should be informed about the outcome at an appropriate level—i.e. whether their complaint has been upheld or not. If the perpetrator is going to be allowed onto campus, then appropriate support needs to be provided to the reporting party.

Some respondents drew comparisons with legal processes, to call for better communication:

[The information on outcome] should be shared. If you went to court the victim would have all the details this should be the same within work.

Victim-survivors must know what happens, this is their story that the institution is acting upon. Victim-survivors must be provided with information and support to prevent them being revictimised by the institution. One of the key complaints of all victims of crimes is lack of information. The Victim's Charter and subsequent codes of practice in criminal justice institutions have stressed victims' right to information. Universities should not put themselves above this.

The lack of transparency evident here also came up as an issue in relation to any discussion of the case or indeed the outcome, where survivors were informed of it.

8.3 Non-disclosure agreements

Concern has been raised in the sector around the use of non-disclosure agreements (NDAs) in cases of sexual violence or misconduct (NUS, 2018). This specific issue was explored with respondents in the professionals' survey. Participants were given an open text box to convey their opinions on the use of NDAs in cases of sexual misconduct. Most respondents indicated that they believed the use of NDAs to be 'dishonest', 'problematic' and 'almost always a very bad thing'. Other comments included:

[The] employer and TU [trade union] could be risking complicity with covering up serious wrongdoing and so allowing an accused person to move on and create more victims.

A few union officials felt that there may be a limited place for the use of NDAs:

Yes. We should not seek to exclude their use. It may be popular and easy to condemn them, but they can have a positive role, although I would envisage this being small scale.

Several respondents to the members' survey, survivors and union officials who spoke to us highlighted the problematic role of NDAs in effectively protecting those accused of perpetrating sexual violence and maintaining a culture of silence.

One of the key things that victim-survivors need is to tell their story and be listened too. Non-disclosure agreements are about silencing victim-survivors, this goes against their well-being and is likely to cause secondary trauma.

'Gag orders' and confidentiality agreements used within disciplinary procedures also interrupted survivors' ability to support each other and warn others. Survivors, who reported a positive experience of the complaints process and its outcome, also reiterated the difficulties created by NDAs in the process of recovery.

The head of department at that time was wonderfully supportive, as was my former line manager (both have now left). They pulled out all the stops to support me on a very personal level. The university has gagged me from speaking about these events, which concerns me. It means I'm unable to seek support from would-be sympathetic colleagues.

We received a letter to confirm that if we discussed details of the case then there would [be] disciplinary action. This made us very anxious because it wasn't clear if we were able to talk to each other. It wasn't clear if this would be seen as colluding or damage the case. We had been sources of emotional support for each other.

Survivors risked retaliatory legal action for defamation, which their institutions and UCU did not support survivors to deal with. The devastating impact that this has on survivors was described by one survivor, who had spoken out about their experience of sexual assault and received a letter from lawyers acting on behalf of the academic who assaulted them. They received legal support of their own but ultimately the threats compelled them to agree to retract information which they had shared and to refuse to participate in an investigation in the workplace.

A few respondents to the members' survey also cited NDAs as the reason why they could not participate in survivor conversations with the task group, and therefore were prevented from informing future policies and processes freely.

My case was fully upheld. My harasser is no longer an employee. I am, however, prohibited from talking about this case. For this reason I cannot [participate in survivor conversations]. This too is a huge problem. I do not believe that victims of sexual assault should be expected to protect our assailants with the expectation that we cannot speak about our experiences: this simply perpetuates an already far too pervasive problem.

I am not allowed to speak about this because of the so-called 'settlement', [...] this is the heart of the problem; we get silenced and our voices are not heard. [...] how can the union address that?

Within our institution students are requested not to disclose information in relation to the investigation whilst it is ongoing, however as far as I am aware this same principle does not stand once the investigation is concluded. I do feel that non-disclosure agreements should be implemented as this provides some level of safety for all parties. I do however think it is important for all parties to be able to discuss their experiences of the process and the behaviour they have been subjected to.

The branches survey also offers further insight, with open ended answers to what changes respondents would like to see in how UCU responds to sexual violence including that NDAs should not be allowed.

However, some professionals, while critical of the use of NDAs, did highlight some benefits. For example, one report from regional UCU staff stated indicated that NDAs can facilitate the process of finding resolution and achieving settlements for members.

In the longer term, UCU may need to reconsider the processes surrounding the representation of those accused of perpetrating sexual violence and/or to alter its practices around this (e.g. by refusing to recommend and support the use of NDAs).

8.4 Sanctions: references and shared referencing protocols

Shared referencing protocols refer to the practice and practicalities of implementing a unified system within the tertiary education sector that mandates all job applicants to have a reference from their previous institution's central HR services, and the extent to which such a reference should address the applicant's conduct at their previous institution.

The barriers and opportunities to this approach were explored in the professionals' survey. Participants were asked what, in their opinion, the pros, cons and practicalities of implementing such a system would be. Most participants appeared to agree that a shared protocol was necessary for increasing transparency, protecting individuals from potential perpetrators moving between institutions and for preventing further abuse. Comments included:

Pros: That there is no hiding places. Cons: None.

Despite information sharing and GDPR issues, I think a shared referencing protocol would help protect everyone.

Critical if the desire to prevent further offending and protect life is serious.

However, survey respondents also expressed reservations around the practicalities of implementing such a protocol and the potential for misuse of the scheme, or victimisation of employees:

I can't see how this would work in practice in a way that would benefit communities without being open to potential abuse.

I think this is potentially a good idea but am worried about how it could be mis-used e.g. faculty seen as 'problematic' for other reasons (union representatives; faculty involved in radical politics; faculty from marginalised groups who persist in raising problems) might fall foul of this as well. There are plenty of faculty who have been subject to complaints from students about being 'too left wing', 'too feminist' etc., as well as subject to malicious complaints from various far-right groups. I would tread carefully with this one.

The issue of referencing was also explored in the branch survey, where respondents were asked about what policies and practices governed referencing where there was a finding of sexual violence or misconduct against a member of staff. Only 4% (n=4) of respondents indicated there was a policy that such a finding would be disclosed in a reference, 17% (n=17) said no such policy was in place, and the vast majority (79%, n=79) did not know what the situation at their institution was.

8.5 Post-'resolution': long-term recovery

The vast majority of respondents to the branch survey who answered this question (87%, n=67) indicated that processes for after-care for staff survivors either did not exist or were not made visible to staff at their institution. Most respondents said that existing services were targeted at students, and where staff could access after-care or support this was through existing channels developed for student survivors.

The reactions of colleagues to survivors who persist through a complaints process also play an important role in the wellbeing of survivors. A lack of acknowledgment or support from colleagues can be a very painful experience for survivors, as one survivor explained:

I feel so let down by colleagues who have been silent [...] Nobody acknowledged the reason I am leaving the university. I am isolated.

Even when an abusive member of staff is removed following a complaint that has been upheld, colleagues that remain can continue to make the workplace unsafe for survivors:

It is difficult that he has friends that are still in the school and they know what happened. They can be rude to me [...] It can be impossible to feel safe’.

The mental and emotional strain a survivor faces is intense and involves emotional work such as fielding and managing the perpetrator’s behaviour during and after the abuse or during a complaint (or both), managing responses from colleagues and managing their own safety on campus. Where they have made a formal complaint and no single point of contact is designated by the institution, they are often required to revisit their trauma by repeatedly redescribing it to different individuals at different stages of the complaints process. Survivors can also be compelled to restrict their work or movement to adjust to changes to timetabling mandated by management to stop survivor and perpetrator being in the same place at the same time. The survivor has to try to mitigate the impact of these events on their job or seek another job if this one becomes untenable, and manage the risk of being ‘unemployable’. All of this work has to be managed at the same time as doing the labour of their normal teaching, research and/or admin duties.

There is often little or no recognition that traumatic experiences of violence and abuse take time to process and recover from. Some survivors spoke about how recovering from sexual violence was a long process for them, which could require extensive periods of time off work as well as specialist counselling and wellbeing support.

Sexual violence [is] a long-term experience in which it is revisited in different ways, means different things, and has different impacts at different times [...] Time is needed to process and put things back together.

Even in cases where a resolution to a complaint is reached, the impact on the survivor is often long-lasting and can have a negative bearing, not only on their mental and emotional well-being, but also on their professional life and work environment. In their conversations with the task group, survivors recounted the impact of their experiences on their mental health, and their journey towards recovery:

I have taken periods of extensive leave which have kept me in work. My career has been derailed and I [am] not sure it will recover.

On the whole, the difficulties of achieving resolution by securing justice, and the costs entailed in embarking on this route was the overwhelming narrative within the responses:

The processes and regulations make it extremely difficult for survivors to get any justice and even in the rare cases where they do, the sacrifices that they have to make are unacceptable. These include being subjected to a lengthy and traumatic investigation procedure which, at my institution, includes attending a formal hearing with the perpetrator and their representative (typically a UCU rep or a legal representative) present; being ostracised by colleagues; getting a reputation for being a 'trouble causer' who tries to destroy people's careers; making career progression virtually impossible.

9. Transformative Futures: Steps towards survivor-centred justice and redress

As explored in this report, there is a gap between the justice and redress that institutional responses promise and the lived experiences of survivors, as one member survey respondent summarised:

We have the appearance of a system of reporting such things, and a lot of rhetoric around supporting survivors of domestic abuse, zero tolerance policy for sexual abuse, assault and violence. But this lip service actually feels triggering because of the huge gap between what is being promised and what actually happens.

Sexual violence is shaped by power inequalities and wider contextual factors at work in tertiary education that make some workers systemically disposable and more vulnerable to harm. These include workers who are trans, non-binary, women, Black, queer, or disabled, those who are employed on casualised contracts and PhD students. However, existing institutional responses to sexual violence commonly frame sexual violence as a problem of individuals through a disciplinary and/or criminalised lens. The difficulty and the high costs of negotiating these redress mechanisms can further retraumatise and isolate survivors from their workplace communities and enable those who have sexually violated others, the institutions that employ them, and the individuals and networks that support them to avoid being held accountable.

Transformative justice approaches to sexual violence seek to create ways to address sexual violence that do not cause more harm (see [Méndez, 2020](#)). These approaches focus on strengthening relationships, which requires us to, as one survivor put it, ‘consider ultimately “what do we owe each other?”’. This poses the question: what connections need to be built in workplaces and unions to make each member feel safe, supported, able to heal, and willing to be accountable for any harm they have caused?

For survivors, healing and recovery from sexual violence is dependent on restoring trust, confidence, connection and belonging in a workplace community. Furthermore, the development of responses needs to be situated in the specific contexts in which sexual violence takes place, as one professional pointed out: ‘contextual responses to the issue are needed’. Survey responses, survivor-centred conversations, and professional follow-up conversations offered some examples of what these practical and context-specific responses could look like.

Some survivors reported that collective tactics and solidarity strategies could deliver support, belief, and affirmation in workplace communities. The benefits of belief and connection in an academic community were powerfully expressed by another survivor:

My initial testimony rallied the academic community into action and this was the closest they came to being accountable. [...] There was an immediate belief of me, and people wrote to me telling me that they should have seen it. People wrote to me telling me they had similar experiences. There was solidarity. The network/grapevine will mean that they will not recover their reputation entirely. This felt like control.

Collectively organised actions to disrupt sexual violence were also experienced as supportive by some survivors:

Other female members of staff actually stepped in to try to make me feel more comfortable and supported, so the community response was pretty supportive.

Having someone with more structural power, such as a manager, step up and share responsibility with survivors was also appreciated:

It felt that he [line manager] was driving it [the complaint process] and we were behind him. I valued this as he was 'sticking his neck out' for us and there was a shared responsibility if it all 'blew up'.

Other potential interventions included private check-ins with survivors, for example, through 'inquiries from colleagues or manager in private and safe space [to check] if observed behaviour was threatening in any way'. Documenting disclosures with survivors' consent was also suggested:

I would recommend, privately and with agreement with the survivor, that colleagues who hear disclosures make notes about what was said with time/dates. The role that colleagues have in bearing witness is important and potentially helpful documentary evidence.

Solidarity strategies can work to alleviate the burden and isolation that survivors experience in complaint processes that tend to responsabilise survivors to manage their own safety and wellbeing.

There is a tendency to signpost survivors to individual counselling sessions for support. This may be a helpful option for some survivors, however this approach may not be perceived as helpful by everyone. One survivor found this unhelpful:

My line manager/HR kept pathologising me and suggesting I get counselling. I want them to stop treating me like I'm sick and recognise that engaging with therapy is more labour that benefits the institution by enabling me to do my job for them.

Confidential spaces for survivors to talk about what they have experienced, be heard, connect with, and support each other was spoken about as a valuable healing resource. This is an unmet need, as one survivor told us:

It can feel lonely. I need someone else to say I see that, you're right, the way you feel is legitimate and understandable. It is a real thing and you should have a feeling about it. To find ways to move beyond what has happened and lift each other out of it.

The capacity for survivors to use their experiences to positively benefit others was also emphasised.

I would like the work to connect survivors. To have a way for survivors to support, talk, network and do activity. I'd like to accompany people and be someone who has been there and is ok.

Adequate resources, including infrastructure, workload, specialist staff, time, and money, would be required for this healing work to be accessible, meaningful, and sustainable for all survivors. The provision of resources to communities of survivors has the potential to rebuild trust in and transform institutions. This would better enable survivors to play a vital role in transforming current practice, as one survivor emphasised, 'listening to and hearing from survivors is the key way to change the process'.

Principles of community and transformative justice were explicitly highlighted by some survivors and professionals as offering potential for the sector to expand available options for survivor-centred justice and redress. The presence of a reporting mechanism can be a valuable first step to begin transformative work:

I prefer spaces of community and transformative justice and think that survivors should have a range of options. The university is offering a potential for community justice with a reporting mechanism. [...] I think transformative

justice is about empowering survivors and its scope depends on each university community and requires dialogue with staff.

More open conversation could help to promote public understanding that sexual violence is a collective problem that requires collective solutions. Public talks and events were considered as a helpful way forward for some survivors, as having ‘a way of knowing that your story isn’t isolated’ was particularly important for survivors.

Transformative justice approaches hold potential for workplace communities, unions, and employers to better identify and transform the specific conditions and power inequalities that enable sexual violence to happen in the first place. This could inform the development of more viable context-specific responses and healing options for all survivors. By mobilising with survivors to lobby for widespread change in how the sector responds to sexual violence the UCU could radically transform the future of tertiary education.

10. Recommendations

The recommendations below arise from the findings and deliberations of the task group as outlined in this report. A number of recommendations would require further work and approval from UCU's democratic structures, including congress and/or the national executive committee (NEC). Many would also require a significant commitment of new resources on the part of branches, regional offices and/or head office to implement. The recommendations are split into five groups:

- Recommendations for employers
- UCU training
- UCU's representation of survivors and perpetrators
- UCU research and data management
- UCU structures, procedures and culture

10.1 Recommendations for employers

1. Employers to consider adopting the terminology of 'gender-based violence' and to consider it as a form of gender discrimination which is manifested in different ways including non-sexual forms of gender discrimination. This terminology would also recognise the experiences of non-binary and/or LGBT members and convey a zero-tolerance approach to violence at all levels.
2. Employers to recognise that casualisation exacerbates other workplace harms and oppressions including gender-related violence; work with UCU to increase employment security through local and UK-wide collective bargaining; and lobby government and other bodies for relevant policy changes, including to the status of postgraduate researchers (PGRs).
3. Employers should treat the prevention and resolution of sexual violence as a health and safety matter, to be integrated into their health and safety policies and consultations or negotiations with campus unions.
4. Employers to champion institutional investment in survivor-led and co-produced research consistent with the Survivors' Voices Charter for engaging abuse survivors in projects, research, and service development.
5. Employers to campaign for the ratification of International Labour Organization (ILO) Convention 190 and ensure that measures to prevent, address and remedy sexual violence, in line with C190 and ILO recommendation 206, are included in collective bargaining agreements and workplace policies.
6. Employers should provide counselling for employees who complain about sexual violence and those who act as representatives in sexual violence cases in the workplace.

7. Employers should develop policies that allow investigations into alleged perpetrators to continue after the alleged perpetrator leaves the institution, if necessary.
8. Employers should revise their approach to information-sharing by rejecting the use of non-disclosure agreements (NDAs); acknowledging that GDPR does not provide a basis for failing to share outcomes of complaints with survivors; and adopting a consistent referencing protocol for including information about outcomes of sexual violence complaints in references which they provide for perpetrators.

10.2 UCU training

9. Equality should be at the heart of trade union democracy and activism. Every union representative should be trained in equality issues including gender-based violence.
10. All UCU representatives and caseworkers involved in any stage of an investigative or disciplinary process in a case involving sexual violence to receive training delivered by experts who have demonstrable experience of trauma-informed, evidence-based and best practice-led work supporting survivors. This also applies to those involved in Rule 13 proceedings.
11. UCU to train more representatives who can act as specialists in the area of sexual violence to ease pressure on branches. A network of such representatives in different branches could also act as an alternative route in cases where survivors find it difficult to get support from their own branch. This can also ensure that allies are available to survivors to provide trauma-informed collective care after as well as during any formal proceedings.

10.3 UCU's representation of survivors and perpetrators

12. Members should be provided with clear information about where they can go to seek support if they do not want to go to their branch or regional/national office.
13. In the short term, UCU should inform representatives that they can as a matter of individual conscience refuse to represent members accused of perpetrating sexual violence. In the longer term, UCU should consider a policy of refusing representation for members accused of perpetrating sexual violence and/or to alter practices around this (e.g. by refusing to recommend and support the use of NDAs).
14. UCU should review the legal advice and support that the union can provide to protect survivors against retaliatory defamation proceedings.

10.4 UCU research and data management

15. UCU to create mechanisms to ensure that casework involving sexual violence can be clearly identified and to enable more accurate recording of prevalence, outcomes, etc.

16. UCU to develop systems for branches to gather information about institutional policies and procedures and create a central repository for collective agreements with employers relating to sexual violence.
17. UCU to further investigate the connections between gender-based violence, structural gender inequalities in the paid and unpaid spheres of work, and precarious employment situations, using the data and research assembled by the task group as a starting point.

10.5 UCU structures, procedures, and culture

18. UCU to make a statement to own its complicity in past sexual violence cases, recognise that blocking practices and abuses of power are widespread in the union, and work to develop mechanisms for addressing them.
19. UCU to invite feedback from members and officers who have been involved in a Rule 13 case in the past five years with a view to revising current policies and procedures or developing a new, separate procedure for handling such cases.
20. UCU to develop protocols for appropriate conduct and behaviour between members at UCU meetings.

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Appendix A: anonymous creative submission

As a sample of the submissions to the Survivors Create! portal, we attach the following anonymous poem, entitled 'A Look':

A Look

My muscles winding
down the back of my thighs
Running
like a river
Trying to escape
your gaze

My legs pulsing
burning
Wanting to carry me
somewhere else
Anywhere else

Your fixed eyes
emotionless
Find me still
I can not move

I could not move
I did not move
I see your eyes everywhere

Appendix B: questions from the member, branch, and professionals surveys

Please note that some of the survey questions were conditional on the answers given to previous questions, with the result that not all questions would have appeared to every survey respondent.

Member survey

1) What is your job category?*

- Teaching only
- Teaching and research
- Research only
- Academic-related & professional services
- Instructor and demonstrator
- Postgraduate student
- Other: _____

2) What sector do you work in?*

- Higher Education
- Further Education
- Adult Education
- Prison Education
- Other - Write In: _____

3) What is your employment contract type?*

- Permanent
- Fixed-term
- Zero hour
- Agency
- Self-employed
- Research student
- Other - Write In: _____

4) Are you on a tier 4 or tier 2 migrant visa?

- Yes
- No
- Prefer not to answer

5) How long have you worked in education?

- 0-5 years
- 6-10 years
- 11-15 years
- 16-20 years
- 20 years +

6) What is your gender?

- Woman
- Man
- Non-binary
- Prefer not to answer
- Other: _____

7) Is your gender identity the same as the one you were assigned at birth?

- Yes
- No
- Prefer not to answer

8) What is your sexual orientation?

- Lesbian
- Gay
- Bisexual
- Pansexual
- Asexual
- Heterosexual
- Homosexual
- Prefer not to say
- Other - Write In: _____

9) Do you consider yourself to be a disabled person?*

* Disabled people are 'a diverse social group of people with a variety of impairments who continue to face unequal and differential treatment resulting from systems, structures and cultures which fail to take disabled people into account' (DPAC Policy Statement). An impairment is a lessening or loss of a function. This could include physical, mental, cognitive, learning or other types of function (see DPAC A Guide to Disabled People, for non-disabled people).

- Yes
- No
- Prefer not to answer

10) How would you describe your ethnicity?

- White British
- White Irish
- White other
- Black or British Black – African
- Black or British Black – Caribbean
- Black or British Black – Other
- Asian or British Asian – Bangladeshi
- Asian or British Asian – Chinese
- Asian or British Asian – Indian
- Asian or British Asian – Pakistani
- Asian or British Asian – Other

- Arab
- Other ethnic group
- Mixed – White and Asian
- Mixed – White and Black African
- Mixed – White and Black Caribbean
- Mixed other
- Prefer not to answer

Your views on your employer's and UCU's approaches to sexual violence

11) How confident are you in your ability to identify and intervene in sexual violence in your workplace?

- Very confident
- Confident
- Not very confident
- Not at all confident
- Don't know

12) How well do you think that UCU responds to sexual violence?

- Very well
- Fairly well
- Not very well
- Not at all well
- Don't know

13) What changes, if any, would you like to see with how UCU deals with sexual violence?

14) How well do you think your employer supports people who experience sexual violence?

- Very well
- Fairly well
- Not very well
- Not at all well
- Don't know

15) What changes, if any, would you like to see with how your institution deals with sexual violence?

16) Are you aware of any campaigns about sexual violence in your institution?

- Yes
- No
- Not sure

17) Who led/leads this campaign?

- Your employer
- Survivors
- UCU

- Students' Union
- Other - Write In: _____
- Not sure

18) Are you aware of any training opportunities about sexual violence in your institution?

- Yes
- No
- Not sure

19) Who led/leads this training?

- Your employer
- Survivors
- UCU
- Students' Union
- Other - Write In: _____
- Not sure

20) Have you personally experienced and/or witnessed or know of anyone who has experienced sexual violence in your institution?

- Yes, I have experienced it in the last 5 years (since beginning 2016)
- Yes, I have experienced it more than 5 years ago
- Yes, I know someone who has experienced it
- Yes, I have witnessed someone else experience it
- No, none of the above

21) If this happened to someone you know, how confident are you that this would be believed by your UCU branch?

- Very confident
- Fairly confident
- Not very confident
- Not at all confident
- Don't know

22) If this happened to someone you know, how confident are you that this would be believed by your employer?

- Very confident
- Fairly confident
- Not very confident
- Not at all confident
- Don't know

Your views on your employer's and UCU's approaches to sexual violence

23) This section of the survey invites you to share views with the task group as someone who has experienced sexual violence at work.

These questions offer opportunities to reflect on your experience of support, the response available at the time and since, and changes you would like to see. We are asking about your experiences within the last five years as UCU previously undertook a survey of members in 2016. You can find the outcomes of that survey [here](#).

If you have one or more experiences in that time frame, please answer in relation to the one which is most significant for you. As members of the task group, we acknowledge the time, labour and range of emotions that responding to such questions may generate for you. We have provided [a list of support services here](#) from across the UK where you can seek support if you wish to.

Before proceeding, we would like to check in to make sure that you are happy to share further information about your experiences.

- Yes, I am happy to complete this part of the survey
- No, I do not wish to complete this part of the survey

(untitled)

24) Which of the following best describes your experience of sexual violence, please tick all that apply to you.

- Unwelcome sexual advances, propositions and / or demands for sexual favours
- Unwanted or derogatory comments about appearances or clothing
- Leering and suggestive gestures and remarks
- Sexualised material being displayed or shared against your wishes, such as pornographic pictures, page three type pin-ups or calendars (including electronic form such as computer screen savers or such material being circulated by email)
- Physical contact such as the invasion of personal space and unnecessary touching
- Sexual assault
- Rape
- Sexually harmful messages / comments via social media
- Other: _____

25) The person responsible was

- My line manager
- Another manager
- A colleague
- A student
- A member of the public
- Other: _____
- Not known

26) What was the frequency?

- It was a one-off incident
- It was a series of incidents

27) When it happened was there anything that you wanted from your workplace community (rather than your institution) that would have made you feel safer and/or supported? If so, please describe.

28) Did you make a report, complaint, or disclosure to your employer?

- Yes
- No

29) Overall, how did your employer’s response make you feel? (Please tick all that apply)

- Believed
- Supported
- Listened to
- Judged
- Dismissed or unheard
- Blamed or made to feel responsible
- Other: _____

30) How did you feel about the following aspects of your experiences of disclosing?

	Yes	No	Don't Know
Did you feel you had choice and control?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did you feel your needs were met?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did you feel your wishes were met?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

31) Did your employer offer you information about any of the following? (Please tick all that apply)

- Informal action (i.e. a conversation with the person responsible, change of location/duties etc)
- Formal complaint processes (an investigation and/or disciplinary hearing - if yes please answer
- No information was offered about informal or formal options
- Other: _____

32) How satisfied were you with the report/complaint/disciplinary process?

- Very satisfied
- Satisfied
- Dissatisfied
- Very dissatisfied
- Don't know

33) Please feel free to expand on your response

34) Were you informed of the outcome of the report/complaint/disciplinary?

- Yes
- No

35) What was the outcome of the report/complaint/disciplinary?

- Case to answer
- No case to answer, but no sanction
- Dismissal
- Suspension
- Demotion
- First written warning
- Second written warning
- Withholding increments
- Withholding promotions
- Other: _____

36) Were you happy with the outcome?

- Yes
- No
- Don't know

37) Please feel free to expand on your response

38) Did you seek any additional support from your employer (eg counselling)?

- Yes
- No

39) Were any of the following offered to you by your employer? (Please tick all that apply)

- Anonymous reporting/disclosure
- Advice and guidance
- Mediation
- Signposting to counselling within your institution
- Signposting to counselling from an external organisation
- Signposting to external organisations (eg Rape Crisis)
- Support during informal or formal action
- Support after an informal or formal action was taken
- Other: _____
- None of the above

40) Did you seek advice or support from UCU and how helpful was the support and advice you got?

- Yes and it was very helpful
- Yes and it was fairly helpful
- Yes and it was not very helpful
- Yes and it was not at all helpful
- Don't know
- I did not seek advice or support from UCU

41) If you feel comfortable doing so, please could you describe your experience with UCU and why you did or did not find the support offered helpful?

42) We know that the decision to report and/or make a complaint is difficult and carries with it various personal risks. If you are comfortable doing so, can you share what comes up for you in making the decision not to report or seek support from UCU? Please tick any that apply to you.

- I was not a UCU member at the time of the incident(s)
- I chose to deal with this in a different way (e.g. informally or via my line manager or HR instead)
- I was unsure about the process or who to contact in UCU for help
- There was a lack of evidence and/or witnesses to support a formal process
- I was concerned about the consequences of reporting what happened (e.g. damage to relationships with colleagues or further victimisation)
- I was concerned that the union would not take it seriously or would dismiss the complaint
- I felt my local branch was not very active or effective
- The perpetrator was/is a UCU Rep
- Other: _____

43) Depending on resources and availability there may be opportunity to speak further with a member of the task group. If you are interested in receiving further information about having a conversation with a task group member, please provide your email address.

Please note that your email address will be linked to your survey response. This means that if we receive interest from more people than we have the resources to speak to, the task group can view survey responses to select a representative sample of people to speak to.

If you do not wish to provide your email address here, please contact SexualViolenceTaskGroup@ucu.org.uk.

44) If there is anything else you would like to tell us about, please do here?

Thank you!

Branch survey

Visibility/Culture Around Sexual Violence

1) Does your employer explicitly acknowledge that sexual violence happens at your institution?

- Yes
- No
- Don't know

2) If yes, how so?

3) Have you seen any posters about sexual violence at your institution?

- Yes
- No

4) Has your institution run any campaigns on sexual violence?

- Yes
- No

5) Does your institution have a policy that addresses staff-on-staff sexual violence?

- Yes
- No
- Don't know

6) Does your institution have a statement about acceptance of survivor accounts and experiences?

- Yes
- No
- Don't know

7) Where and in what form?

8) Does your institution have a statement about penalty for false allegations?

- Yes
- No
- Don't know

9) Where and in what form?

10) Does your institution have an explicit senior leadership commitment to tackle sexual violence?

- Yes
- No
- Don't know

11) What form does this take?

Support

12) Does your institution have dedicated personnel such as a Sexual Violence Liaison Officer/First Responders to support staff who have experienced sexual violence?

- Yes
- No
- Don't know

13) Does your institution have external support services on campus e.g. Rape Crisis?

- Yes
- No
- Don't know
- N/A

14) Does your institution signpost to external services off campus e.g Rape Crisis?

- Yes
- No
- Don't know
- N/A

15) If yes, does your institution fund any support from external agencies?

- Yes
- No
- Don't know

16) Are you aware of any processes for providing after-care for staff survivors of sexual violence?

Training

17) Does your institution provide training to staff on sexual violence?

- Yes
- No
- Don't know

18) What sexual violence training(s) does your institution offer for staff? (e.g. first responder, consent/bystander)

(Please provide a link to this/these training(s) if possible)

19) Is this training mandatory?

	Yes	No	Don't know
(a) for all staff	()	()	()
(b) for some staff groups (e.g. security)?	()	()	()

20) Please specify which groups

21) How is it normally delivered?

- () Online
- () In person
- () Online and in person

22) What is the length of this training?

- () Up to 30 minutes
- () 30 minutes - 1 hour
- () Over 1 hour

Reporting and Complaints

23) Does your institution have a process for anonymous reporting?

- () Yes
- () No
- () Don't know

24) Can staff who have experienced sexual violence access support without making a formal complaint against the perpetrator?

- () Yes
- () No
- () Don't know

25) If they wish to, can staff who have experienced sexual violence access measures to enable them to work safely (eg. change teaching team or office relocation) without making a formal complaint?

- () Yes
- () No
- () Don't know

26) Have you supported a member of the union through a complaints process?

- () Yes
- () No

27) What did your institution do well?

28) In what ways could your institution have responded better?

29) Where there has been a finding of sexual misconduct/violence by a member of staff, does your institution have a policy on disclosing this in an employment reference?

- Yes
- No
- Don't know

30) Does your institution continue investigations after someone who has been accused of sexual misconduct leaves?

- Yes
- No
- Don't know

UCU branches' work with institutions

31) What is the most positive feature of your institution's policies on sexual violence?

32) Has your branch campaigned on the issue of sexual violence in the last 24 months?

- Yes
- No
- Don't know

33) What was the aim of the campaign?

34) What was the outcome of the campaign?

35) What is the one thing would you want to see your institution change in the next 1-2 years with regard to sexual harassment and/or sexual violence?

About UCU and Support Provided to Branch Representatives and Case Workers

36) Have you received any training from UCU on sexual violence in the last five years?

- Yes
- No

37) What was the training and how useful did you find it?

38) Why not?

39) Have you supported members who have been accused of sexual misconduct and/or sexual violence?

- Yes
- No

40) Have you supported members who have experienced sexual misconduct and/or sexual violence?

- Yes
- No

41) Did you receive any support while you were supporting them? Tick all that apply

- Yes, from my branch
- Yes, from the regional office
- Yes, from the national office
- No support

42) On average, how many cases of sexual harassment and/or sexual violence does your branch deal with each year?

43) Are there specific officer roles within your branch which tend to represent such cases, if so which role is this?

44) Does your branch have an Equalities and Inclusion Representative?

- Yes
- No
- Don't know

45) Are you aware of any current UCU protocols for dealing with cases of sexual misconduct and/ or sexual violence?

- Yes
- No
- Don't know

46) How useful have you found these?

47) What changes would you like to see, if any, in how UCU deals with sexual misconduct and/or sexual violence?

48) Are you aware of how, when and where to signpost members for additional support and advice about sexual misconduct and/or sexual violence?

- Yes
- No

Thank you!

Professionals survey

Participant information

1) Please indicate your role (tick all that apply)

- Solicitor/other legal professional
- HR professional
- Equality, diversity and inclusion professional
- Sexual misconduct expert
- Student support services professional
- Trade union official
- Other(please state): _____*

Definitions

(untitled)

2) I have - tick all that apply

- Advised/represented individuals who have raised complaints about sexual misconduct
- Advised/represented individuals accused of sexual misconduct
- Advised/represented institutions in sexual misconduct cases
- Given advice about policies and processes in general to an institution (as distinct from advice about a specific case)
- Produced advice or guidance relating to sexual misconduct for the tertiary education sector
- Implemented changes at my own institution in relation to sexual misconduct

3) If you have ticked any of the options in question two, please provide anonymised details if you feel able to.

Prompt: Did the case(s) involved staff and/or students? Which sector did this happen in? Was the complaint investigated? Did the investigation result in a disciplinary hearing? Were sanctions applied? Did the complainant or the institution involve the police?

4) Have you identified any practical, personal or political challenges when advising on sexual misconduct?

- Yes
- No

5) Would you like to expand on your answer?

6) In your experience, have you found institutional policy and processes to be (tick all that apply):

- Fair
- Transparent
- Effective
- Other (open text): _____

7) Have you observed any differences in disciplinary processes depending on the type of institution?

Prompt: This could relate to an institution's charter and statutes, being pre- or post-92, or to the use of different forms of employment for staff, such as agency and other third-party employers.

8) Do you think there should there be a separate processes in institutions specifically for sexual misconduct complaints?

Yes

No

Maybe

Additional information: _____

9) Is there anything further you would like to add about institutional policies and processes?

10) In cases related to sexual violence, what sanctions are you aware of being used? Tick all that apply.

Dismissal

Demotion

Suspension

Written warning

Withholding increments

Withholding promotions

I'm not aware of any sanctions being used

Other: _____

11) Are there sanctions that you're aware of that are not commonly applied in institutions but you would consider best practice?

12) What are your thoughts on institutions sharing outcomes of complaints with reporting parties?

Prompt: How do institutions balance the accused's right to privacy and data protection against the reporting parties' right to resolution and closure? Should the reporting party know whether the perpetrator is or will be on campus?

13) What would you consider the pros, cons and practicalities of a shared referencing protocol across institutions? e.g. mandating that all job applicants have a reference from their previous institution/central HR services.

14) In your opinion, should investigations of sexual misconduct continue after someone has left the institution? e.g. hearing/finding still taking place, even if the sanction stage cannot happen.

Yes

No

() Open text: _____

15) Do you have any views on the use of non-disclosure agreements in cases of sexual misconduct?

Prompt: What benefits and/or problems do they pose? How commonly are they used in your experience?

16) Are you aware of any implications of Brexit, in terms of any protections afforded by European equalities legislation, that might have a bearing on cases of sexual misconduct?

17) In your experience, are institutions making decisions about sexual misconduct on the balance of probabilities (akin to the civil burden of proof), or are you aware of cases where more evidence has been required?

18) Is there anything else you would like to add?

19) Depending on resources and availability there may be opportunity to speak further with a member of the task group. If you are interested in receiving further information about having a conversation with a task group member, please provide your email address.

Please note that your email address will be linked to your survey response. This means that if we receive interest from more people than we have the resources to speak to, the task group can view survey responses to select a representative sample of people to speak to.

If you do not wish to provide your email address or telephone number here, please contact SexualViolenceTaskGroup@ucu.org.uk.

Email: _____

Telephone number: _____

Thank you!

Appendix C: survivor conversation questions and prompts

Below are the questions and prompts that formed the basis of the one-on-one conversations which members of the task group held with survivors. The questions are in bold and the follow-up prompts are listed below each question.

Reflecting on your experience of sexual violence, what did you most need in that moment?

Prompts: what would have made you feel safer, believed, cared for and/or supported? How could your wishes and needs for safety be better held by others?

How did you make sense of what you experienced?

Prompts: Who/what helped? What/who didn't help? How well did available support centre your sense of choice and control?

What did you ideally want to happen next?

What is needed to make things right? (i.e. routes for redress)

Prompts: What do you want the person who caused the harm to do? How would you want your academic community to change? How well do you think your wishes and needs are met by options that were available in the UCU, your university or further education college community; Is there something else is needed to repair the harm?

What would best support your recovery?

Prompts: is there anything the UCU, your university or further education college could do or needs to do differently to support this?

What would a survivor-centred UCU look and feel like to you?

What would you like to see come out of the work of the task group?

Appendix D: demographics of survey respondents

Gender, sexuality and disability

Of those who responded to the survey, and could be meaningfully categorised, 66% (n=2466) were women, 32% (n=1205) were men, and 2% (n=87) reported another gender identity including trans and non-binary. The majority of respondents indicated they were heterosexual (74%, n=2389), 9% (n=328) were bisexual, 3% each chose lesbian (n=110) and gay (n=98), and a further 0.3% (n=13) homosexual. A further 1.7% (n=65) indicated they were pansexual and 1% (n=37) asexual. A total of 7% (n=272) preferred not to answer. A total of 14% (n=520) considered themselves to be disabled.

Coding of responses to the question regarding gender identity

24 people responded to the 'other' category in a way that either made their answer impossible to categorise, with the result that they were coded as missing data, or indicated they favoured categorisation by sex rather than gender identity.

Where an assessment could be made about which was the most appropriate category to allocate (for instance, where a respondent said in the comment box that they were a woman) they were recoded as such. All recoding was done on the basis of supporting meaningful analysis of respondents' experiences. The assignment of those who had written they were a woman in the comments, but not picked that category originally, increased the numbers of those experiencing sexual violence in that category, and reduced it in the 'trans, non-binary and other gender identities' category.

Examples of answers that were coded as missing data:

Two Spirit Penguin on the weekends. Throughout the week I identify as a Three Spirit Dolphin.

I think you mean \'Biological Sex\'

Answers like this were coded as woman or man respectively:

I do not have a gender. I am a woman.

Cis norm male

Some answers conflated sexuality and gender, despite the presence of a separate question on sexuality, e.g. 'heterosexual male'. These examples were recoded as 'man'.

Ethnicity

With respect to ethnicity, the majority (89%, n=3384) of respondents were White (British, Irish or Other), 3% (n=102) were Asian or British Asian (including Bangladeshi, Chinese, Indian, Pakistani or Other), 3% (n=117) chose Mixed (including White and Asian, White and Black African, White and Black Caribbean, Mixed Other). A total of 1% were Black or Black British (including Black African, Black Caribbean and Other). A total of 0.2% (n=9) were Arab, a further 1.4% (n=54) chose 'other ethnic group' and 3% (n=109) preferred not to answer.

Employment terms and sector

The majority of respondents were in permanent or non-precarious employment (77%, n=2982) with the remaining 23% (n=871) reporting some level of precarity, including temporary contracts, zero hour contracts, agency work, self-employment and postgraduate research students. Of those who responded, 83% (n=3196) were in the higher education sector, 14% (n=527) in the further education sector, 2% in prison education (n=59) and 1% in adult education (n=41).

ABOUT UCU

The University and College Union (UCU) represents over 130,000 academics, lecturers, trainers, instructors, researchers, managers, administrators, computer staff, librarians and postgraduates in universities, colleges, prisons, adult education and training organisations across the UK.

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