

Our Ref: 2033

Freedom of Information request dated 28th January 2020 concerning how the university handles cases of sexual misconduct and sexual violence. Response as follows -

1. What changes has the university made to its student disciplinary processes for sexual misconduct and sexual violence since the publication of Universities UK/[Pinsent Masons guidance](#) in 2016?

This information is not routinely recorded and would require a review to go through versions to ascertain what changes have been made since 2016. Therefore, It has been determined it would take an excessive amount of time to establish all of the information required.

Therefore s12 of the Act applies.

Section 12 – Exemption where cost of compliance exceeds the appropriate limit.
s1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the ‘appropriate limit’ (18 – hours).

Activities that may be counted within our time estimations are:

- Determining if the information is held;
- Locating the information, or a document containing it;
- Retrieving the information, or a document containing it; and
- Extracting the information from a document containing it.

The following have not been included within our calculations:

- The time spent identifying information to be exempted
- The time dedicated to the process of redaction.

Although excess cost removes the Universities obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

2.1 Did an external specialist expert contribute to these reforms?

A specialist was not appointed to update these regulations. The review was undertaken by someone who had considerable experience and expertise in that area (We are a charitable organisation and it is not appropriate to use public funds for every external change that affects the sector, especially when we have expertise in-house). Substantial consultation also took place across the University, with staff, including those working in Student Support and the Students Union.

2.2 If so, what is the name of the individual or organisation involved?

N/a

3. What standard/burden of proof is required under your student disciplinary procedures – civil (balance of probability) or criminal (beyond reasonable doubt)?

Civil

3.1 Is this standard of proof the same for all student misconduct, including sexual misconduct?

Yes

3.2 If not, to what misconduct does it not apply? N/A

4. Does the university have specific disciplinary procedures for handling sexual misconduct and/or sexual violence?

All reports of misconduct (including sexual misconduct) are handled in accordance with the Student Disciplinary Regulations

5. Which member of staff takes the lead in coordinating the handling of cases of sexual misconduct and sexual violence?

Student Misconduct Officer

5.1. What specialist training have they undertaken?

No specialist training provided recruited on past work experience.

5.2. Is this a dedicated role?

Yes.

6. Does the university employ sexual violence liaison officers (SVLOs)?

The University does not currently employ Sexual Violence Liaison Officers, however, this has been approved for the future, and the recruitment of SVLOs will be in progress soon.

6.1 If so, how many?

Proposed 6

6.2 What is the scope of their role?

- Signposting and providing information to survivors of sexual violence who are part of the university community. (e.g. on reporting process both internally and to the police, and where to get support)
- Assisting with making adjustments etc. to assist survivor with their study
- Case work

6.3 Are they full-time or part-time roles?

Proposed Part-time

6.4 Are these dedicated roles?

No

Or are they academics or support staff who are doing this work in addition to their primary role?

Yes

7. Do you have specially trained investigators dealing with cases of sexual misconduct and sexual violence? Or does an external expert do this work?

No.

7.1 If so, what specialist training have they undertaken?

8. Do you have specially trained staff who sit on panels to decide outcomes in cases of sexual misconduct and sexual violence?

Yes.

8.1 If so, what specialist training have they undertaken?

Lime Culture – Sexual Misconduct Disciplinary Panel Training

9. How is a fair hearing ensured in complaints of sexual misconduct and sexual violence?

- The principals of natural justice are followed:
- Impartial process, free from bias
 - Student is told clearly the nature of the allegations in advance
 - Student receives all of the evidence to be relied upon and has been given opportunity to comment/respond ahead of the hearing
 - Student is given the opportunity to put forward their case to the panel
 - Decision making is unbiased
 - Disciplinary regulations are followed consistently in all cases

10. What are the maximum and minimum penalties for students found in breach of the code of conduct due to sexual misconduct or sexual violence?

All penalties available under the disciplinary regulations are available to a panel to consider imposing the minimum would be a Written Caution and/or Acceptable Behaviour Contract and Maximum would be Expulsion.

11. Which (types of) staff have undergone specialist training to deal with disclosures of sexual misconduct and sexual violence?

The Mental Health Support Team have undergone specialist training, staff within student services and those involved in sexual misconduct panels which comprises both academic and professional services staff. The sexual violence lead works closely with the training lead to ensure information around the required action and procedure is included in staff training packages.

11.1 Does this include personal tutors, campus security staff, and staff in student welfare/wellbeing services? (Please specify)

The internal staff training packages are available to all staff including personal tutors and campus security, the Mental Health Support Team have additional specialist training.

12. Do you have a specialist and dedicated support service in place for victims of sexual misconduct and sexual violence? If so, what does it entail?

This is provided by the Mental Health Support Team.

12.1 Is this internal, or externally provided?

Internal.

12.2 How many counselling staff (employed by or contracted to work for the university) have undertaken specialist training on dealing with sexual misconduct and sexual violence?

The University do not employ any counselling staff, this is provided through referral to community healthcare services. All staff employed on the Mental Health Support Team have had training around sexual misconduct/sexual violence.

13. Does responsibility for addressing violence against women form part of the portfolio of a senior manager at executive level?

Yes.

13.1 If so, what is their job title?

Academic Registrar.

14. How does the university deal with students who are charged with sexual offences?

University proceedings would be put on hold pending the outcome of a prosecution, but this would not preclude precautionary action.

14.1 Are students charged with sexually offences always excluded from the university, e.g. suspended?

Not automatically, a decision would be taken on an individual case basis.

14.2 If not, what other disciplinary action has been taken against them and/or what precautionary measures have been put in place?

As above it would be on a case by case, will consider the least detrimental precautionary measure which would sufficiently keep the parties apart:

- No Contact Arrangement
- Exclusion either partial or full from accommodation
- Exclusion either partial or full from campus

14.3 How does the university's handling of students charged with sexual offences differ when the alleged victim is student or member of staff? (Please address 14.1 and 14.2 in your response.)

No change, the same process is followed.

15. Does a conviction for a sexual offence/s always lead to a student's expulsion from the university?

The University is not informed of convictions.

For Q.1 Please take this as a refusal notice in accordance with section 17(5) of the Act which states; A public authority which, in relation to any request for information, is relying on a claim

that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.